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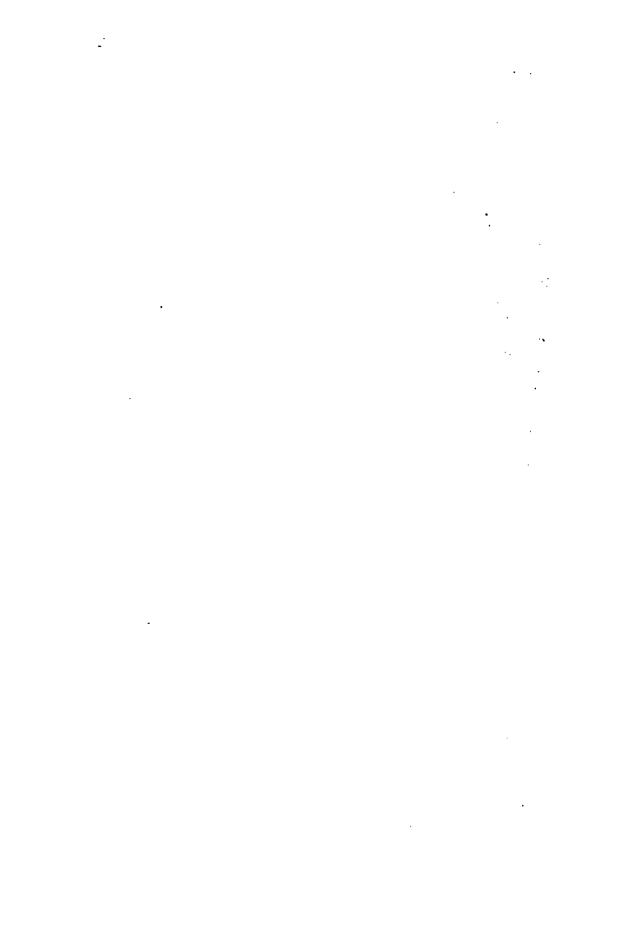
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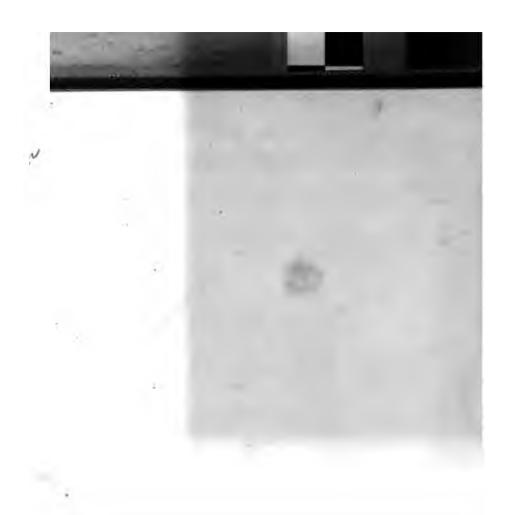


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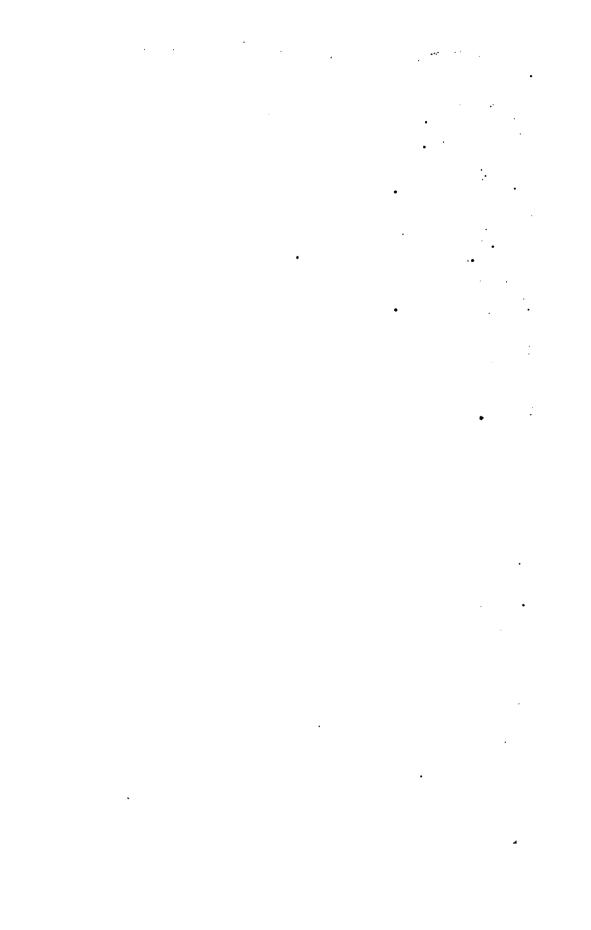
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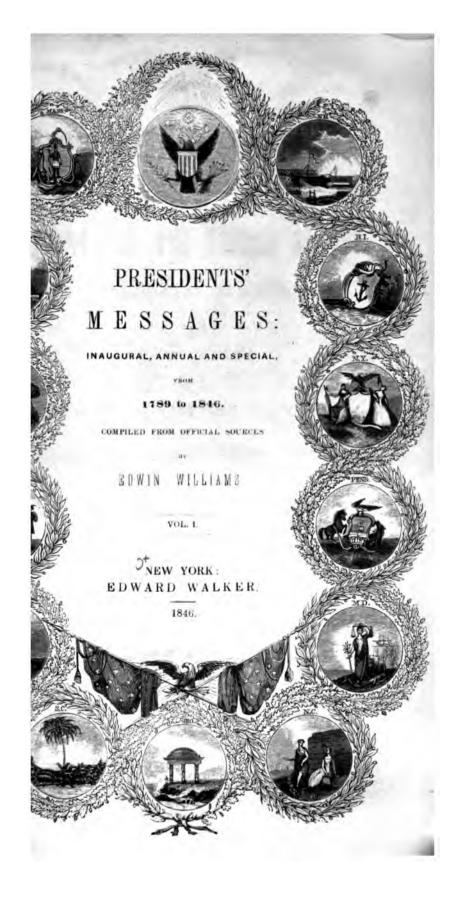
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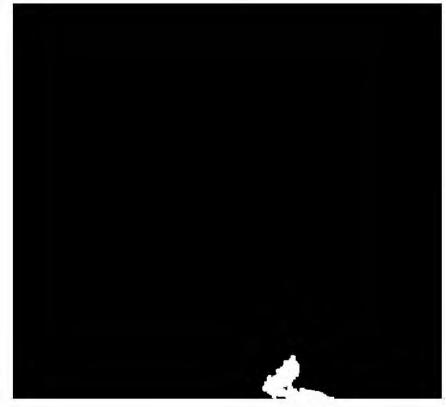


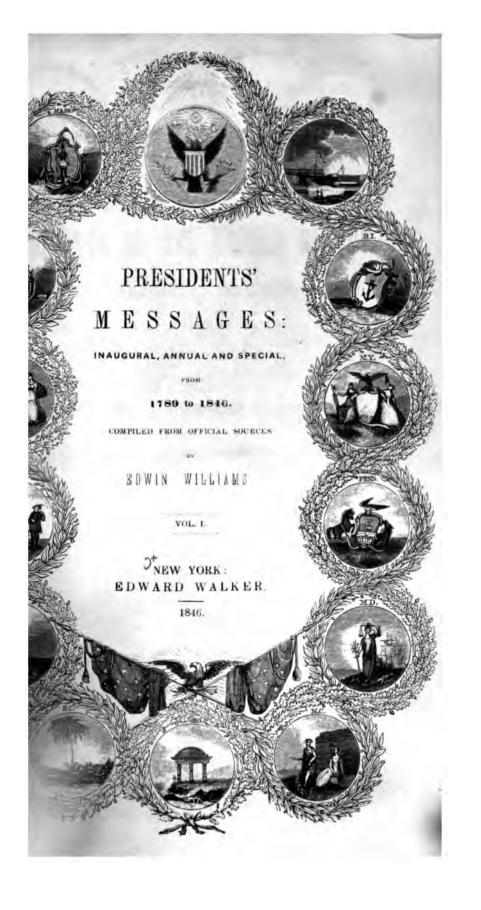
















# ADDRESSES AND MESSAGES

OF THE

# PRESIDENTS OF THE UNITED STATES, -,

INAUGURAL, ANNUAL, AND SPECIAL,

FROM

1789 to 1846:

WITH

A MEMOIR OF EACH OF THE PRESIDENTS.

AND

A HISTORY OF THEIR ADMINISTRATIONS:

ALSO

THE CONSTITUTION OF THE UNITED STATES, AND A SELECTION OF IMPORTANT DOCUMENTS AND STATISTICAL INFORMATION.

BY EDWIN WILLIAMS.

IN TWO VOLUMES, VOL. I.

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(Vol.I., II.)

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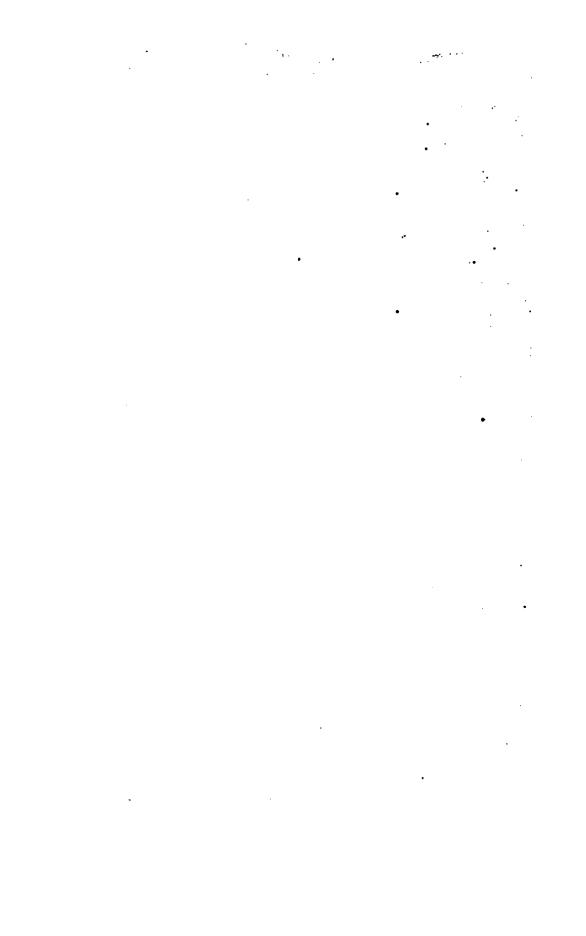
# The United States,

THIS WORK

En Respectfully Bedicated,

By THE PUBLISHER.

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## DECLARATION OF INDEPENDENCE.

JULY 4th 1776.

THE UNANIMOUS DECLARATION OF THE THIRTEEN UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitled them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of the present king of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world :--

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be

ly firmness his invasions on the rights of the people.

e has refused, for a long time after such dissolutions, to ca lected; whereby the legislative powers, incapable of annil ned to the people at large for their exercise—the state r meantime, exposed to all the dangers of invasion from ulsions within.

- e has endeavored to prevent the population of these statose obstructing the laws of naturalization of foreigners, refus to encourage their migration hither, and raising the cappropriations of lands.
- has obstructed the administration of justice, by refusing vs for establishing judiciary powers.
- has made judges dependent on his will alone for the tens and the amount and payment of their salaries.
- has erected a multitude of new offices, and sent hither rs to harass our people and eat out their substance.
- has kept among us, in times of peace, standing armies, nt of our legislatures.

has affected to render the military independent of, and  $\epsilon$  vil power.

has combined with others to subject us to a jurisdiction for aution and unacknowledged by our laws—giving his asse pretended legislation.

quartering large bodies of armed troops among us; protecting them, by a mock trial, from punishment for an they should commit on the inhabitants of these states; cutting off our trade with all parts of the world; imposing taxes on us without our consent; depriving us, in many cases of the large consent;

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments;

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here by declaring us out of his protection and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions, we have petitioned for redress in the most humble terms. Our repeated petitions have been answered only by repeated injury. A prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts, by their legislature, to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have repealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connexions and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace, friends.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare that these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British crown, and that all political connexion between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent

states may of right do. And for the support of this declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

The foregoing declaration was, by order of Congress, engrossed and signed by the following members:—

#### NEW HAMPSHIRE.

JOSIAH BARTLETT, WILLIAM WHIPPLE, MATTHEW THORNTON.

# MASSACHUSETTS BAY. ARRAHAM CLARK.

Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.

RHODE ISLAND.
STEPHEN HOPKINS,
WILLIAM ELLERY.

#### CONNECTICUT.

ROGER SHERMAN, SAMUEL HUNTINGTON, WILLIAM WILLIAMS, OLIVER WOLCOTT.

#### NEW YORK.

WILLIAM FLOYD, PHILIP LIVINGSTON, FRANCIS LEWIS, LEWIS MORRIS.

## NEW JERSEY.

BICHARD STOCKTON, JOHN WITHERSPOON, FRANCIS HOPKINSON, JOHN HART,

#### PENNSYLVANIA.

ROBERT MORRIS, BENJAMIN RUSH, BENJAMIN FRANKLIN, JOHN MORTON, GEORGE CLYMER, JAMES SMITH, GEORGE TAYLOR, JAMES WILSON, GEORGE ROSS.

#### DELAWARE.

CESAR RODNEY, GEORGE READ, THOMAS M'KEAN.

MARYLAND. SAMUEL CHASE, WILLIAM PACA,

#### JOHN HANCOCK.

THOMAS STONE, [ton. CHARLES CARROLL, of Carroll-

VIRGINIA.
GEORGE WITHE,
RICHARD HEMEY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JE.
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

NORTH CAROLINA.
WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

SOUTH CAROLINA. Edward Rutledge, THOMAS HEYWARD, JR. THOMAS LYNCH, JR. ARTHUR MIDDLETON.

GEORGIA.
BUTTON GWINNETT,
LYMAN HALL,
GEORGE WALTON.



## ARTICLES OF CONFEDERATION.

TO ALL TO WHOM THESE PRESENTS SHALL COME, WE, THE UNDERSIGNED DELEGATES OF THE STATES AFFIXED TO OUR NAMES. SEND GREETING.

WHEREAS, the delegates of the United States of America in Congress assembled did, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain articles of confederation and perpetual Union between the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, viz.:—

Articles of Confederation and perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

ARTICLE 1. The style of this confederacy shall be, "The United States of America."

ARTICLE 2. Each state retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE 3. The said states hereby severally enter into a firm league of friendship with each other for their common defence, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE 4. The better to secure and perpetuate mutual friendship, and intercourse among the people of the different states in this Union, the free inhabitants of each of these states, paupers, vagabonds, and fagitives from justice, excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce subject to the same duties, impositions, and restrictions, as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any state to any other state, of which the owner is an inhabitant; provided also, that no imposition, duties, or restriction,

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shall be laid by any state on the property of the United States or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor, in any state, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts, and judicial proceedings of the courts and magistrates of every other state.

ARTICLE 5. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of each state shall direct to meet in Congress on the first Monday in November, in every year, with a power reserved to each state to recall its delegates or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No state shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees, or emoluments of any kind.

Each state shall maintain its own delegates in a meeting of the states, and while they act as members of the committee of the states.

In determining questions in the United States in Congress assembled, each state shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprison-



sembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a wellregulated and disciplined militia, sufficiently armed and accourred, and shall provide and have constantly ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammu-

nition, and camp equipage.

No state shall engage in any war without the consent of the United States in Congress assembled, unless such state be actually invaded by enemies or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any state grant commissions to any ships or vessels-of-war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such state be infested by pirates, in which case vessels-of-war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE 7. When land forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively, by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies

shall be filled up by the state which first made the appointment,

ARTICLE 8. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states, within the

time agreed upon by the United States in Congress assembled.

ARTICLE 9. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article—of sending and receiving ambassadors-entering into treaties and alliances; provided, that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever-of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated—of granting letters of marque and reprisal in times of peace—appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally appeals in all cases of captures: provided, that no member of Congress shall be appointed a judge of any of the said courts.

· unecka wapponi a court for hearing and determining the matter in question: an not agree. Congress shall name three persons out of each d States, and from the list of such persons each party shall trike out one, the petitioners beginning until the number shall to thirteen; and from that number not less than seven nor tine names, as Congress shall direct shall, in the presence of e drawn out by lot; and the persons whose names shall be so ny five of them, shall be commissioners or judges, to hear and mine the controversy, so always as a major part of the judges lear the cause, shall agree in the determination; and if either neglect to attend at the day appointed, without showing reasons gress shall judge sufficient, or being present shall refuse to Congress shall proceed to nominate three persons out of each he secretary of Congress shall strike in behalf of such party fusing; and the judgment and sentence of the court to be ap the manner before prescribed, shall be final and conclusive of the parties shall refuse to submit to the authority of sucl appear, or defend their claim or cause, the court shall never ceed to pronounce sentence or judgment, which shall in lik final and decisive, the judgment or sentence and other proceed in either case transmitted to Congress, and lodged among th ngress for the security of the parties concerned: provided, the missioner, before he sits in judgment, shall take an oath, to b ed by one of the judges of the supreme or superior court of th re the cause shall be tried, " well and truly to hear and dete natter in question, according to the best of his judgment, withou ction, or hope of reward:" provided also, that no state shall k f territory for the benefit of the United States.

troversies concerning the private right of soil, claimed undgrants of two or more states, whose jurisdiction as they may ch lands and the states which passed such grants are adjuste rants or either of them being at the same time claimed to have antecedent to such settlement of jurisdiction, shall, on the peher party to the Congress of the United States, be finally detenear as may be, in the same manner as is before prescribed if the trade and managing all affairs with the Indians not members of any of the states; provided that the legislative right of any state within its own limits be not infringed or violated—establishing and regulating postoffices from one state to another throughout all the United States, and exacting such postage on the papers passing through the same, as may be requisite to defray the expenses of the said office—appointing all officers of the land forces in the service of the United States excepting regimental officers—appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States—making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to anpoint a committee to sit in the recess of Congress, to be denominated "a committee of the states," and to consist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction—to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years—to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses—to borrow money or emit bills on the credit of the United States, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted -to build and equip a navy-to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state: which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men, and clothe, arm, and equip them, in a soldierlike manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped, shall march to the place appointed. and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled, shall, on consideration of circumstances, judge proper that any state should not raise men or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped, in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number can not safely be spared out of the same; in which case they shall raise, officer, clothe, arm, and equip, as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels-of-war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the army or navy, unless nine states assent to the same; nor shall a question

then request, snatt be turnished with a transcript of the keept such parts as are above excepted, to lay before the the several states.

 $\epsilon$  10. The committee of the states, or any nine of them, s l to execute, in the recess of Congress, such of the pow as the United States in Congress assembled, by the con s, shall from time to time, think expedient to vest them hat no power be delegated to the said committee, for the er by the articles of confederation, the voice of nine states of the United States assembled is requisite.

E 11. Canada, acceding to this confederation, and joining of the United States, shall be admitted into, and entitled ages of this Union; but no other colony shall be admitte unless such admission be agreed to by nine states.

2 12. All bills of credit emitted, moneys borrowed, and by or under the authority of Congress, before the asserted States, in pursuance of the present confederation, shed considered as a charge against the United States, for paction whereof the said United States and the public fair emply pledged.

: 13. Every state shall abide by the decision of the Uniongress assembled, on all questions which, by this conferent britted to them. And the articles of this confederation by observed by every state, and the Union shall be perpay alteration at any time hereafter be made in any of then lteration be agreed to in a Congress of the United States d confirmed by the legislature of every state.

of the legislatures we respectively represent in Congress and to authorize us to ratify the said articles of confederal Union: know ye, that we, the undersigned delegate power and authority to us given for that purpose, do, by the name and in behalf of our respective constituents, ratify and confirm each and every of the said articles of and perpetual Union, and all and singular the matters and the said articles of the said a

In witness whereof, we have hereunto set our hands, in Congress. Done at Philadelphia, in the state of Pennsylvania, the ninth day of July, in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

NEW HAMPSHIRE.

JOSIAH BARTLETT, JOHN WENTWORTH, JR.

MASSACHUSETTS BAY.

JOHN HANCOCK, SANUEL ADAMS, ELBRIDGE GERRY, FRANCIS DAWA, JAMES LOVELL, SANUEL HOLTEN.

RHODE ISLAND.

WILLIAM ELLERY, HENRY MARCHANT, JOHN COLLINS.

CONNECTICUT.

ROGER SHERMAN, SAMUEL HUNTINGTON, OLIVER WOLCOTT, TITUS HOSNER, ANDREW ADAMS.

NEW YORK.

James Duane, Francis Lewis, William Duer, Gouverneur Morris.

NEW JERSEY.

John Witherspoon, Nath. Scudder.

PENNSYLVANIA.

ROBERT MORRIS, DANIEL ROBERDEAU, . Jonathan Bayard Smith, William Clingan, Joseph Red.

DELAWARE.

Thomas M'Kean, John Dickinson, Nicholas Van Dyke.

MARYLAND.

John Hanson, Daniel Carroll.

VIRGINIA.

RICHARD HENRY LEE, JOHN BANISTER, THOMAS ADAMS, JOHN HARVIE, FRANCIS LIGHTFOOT LEE.

NORTH CAROLINA.

John Penn, Constable Harnett, John Williams.

SOUTH CAROLINA.

HENRY LAURENS,
WILLIAM HENRY DRAYTON,
JOHN MATTHEWS,
RICHARD HUTSON,
THOMAS HEYWARD, JR.

GEORGIA.

JOHN WALTON, EDWARD TELFAIR, EDWARD LANGWORTHY.

# CONSTITUTION OF THE UNITED STATES.

COPIED FROM, AND COMPARED WITH, THE ROLL IN THE DEPARTMENT OF STATE.

We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

#### ARTICLE I.

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a senate and house of representatives.

SECTION 2. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand,† but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

† See laws United States, vol. ii , chap. 124; iii., 261; iv., 332. Acts of 17th Congress, 1st session, chap. x.; and of the 22d and 27th Congress.

<sup>•</sup> The constitutional provision, that direct taxes shall be apportioned among the several states according to their respective numbers, to be ascertained by a census, was not intended to restrict the power of imposing direct taxes to states only.—Loughborough vs. Blaks, 5 Wheston, 319.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

SECTION 3. The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall

The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

The senate shall choose their other officers, and also a president protempore, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments: When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: And no present shall be apprinted without the consumers of two thirds of the

members for disorderly behavior, and, with the concurrence of two thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secresy; and the yeas and nays of the members of either house on any question shall, at the desire of one fifth of those present, be entered on the journal.

Neither house, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place

than that in which the two houses shall be sitting.

SECTION 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his con-

tinuance in office.

SECTION 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by year and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sunday excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the senate

and authority of the same; and had ordered that the speaker should issue his warrant to the sergeant-at-arms, commanding him to take the plaintiff into custody wherever to be found, and to have him before the said house to answer to the said charge; and that the speaker did accordingly issue such a warrant, reciting the said resolution and order, and commanding the sergeant-at-arms to take the plaintiff into custody, &c., and deliver the said warrant to the defendant: by virtue of which warrant the defendant arrested the plaintiff, and conveyed him to the bar of the house, where he was heard in his defence touching the matter of said charge, and the examination being adjourned from day to day, and the house having ordered the plaintiff to be detained in custody, he was accordingly detained by the defendant until he was finally adjudged to be guilty and convicted of the charge aforesaid, and ordered to be forthwith brought to the bar and reprimanded by the speaker, and then discharged from custody, and after being thus reprimanded, was actually discharged from the arrest and custody aforesaid —Anderson vs. Dunn, 6 Wheston, 204.

and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

Section 8. The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

To establish an uniform rule of naturalization,† and uniform laws on the subject of bankruptcies‡ throughout the United States;

To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;

To provide for the punishment of counterfeiting the securities and current coin of the United States;

To establish postoffices and postroads;

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;

To constitute tribunals inferior to the supreme court;

To define and punish piracies and felonies committed on the high seas, and offences against the law of nations;

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

To provide for organizing, arming, and disciplining, the militia, and for overning such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;

To exercise exclusive legislation in all cases whatsoever, over such district (aot exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings :- And

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or

officer thereof.1

SECTION 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by

† Congress has authority to impose a direct tax on the District of Columbia, in propor tion to the census directed to be taken by the constitution.—Loughborough vs. Blaks, 5 Wheaton, 317.

Wheaton, 317.

But Congress are not bound so extend a direct tax to the district and territories.—Id., 322.

The power of Congress to exercise exchains jurisdiction in all cases whatsoever within the District of Columbia, includes the power of taxing it.—Id., 324.

Whenever the terms in which a power is granted by the constitution to Congress, or whenever the nature of the power itself requires that it should be exercised exclusively by Congress, the subject is as completely taken away from the state legislatures as if they had been expressly forbidden to act on it.—Sturgess vs. Crossninshield, 4 Wheston, 193.

Congress has power to incorporate a bank.—McCulloch vs. State of Maryland, 4 Wheston,

The power of establishing a corporation is not a distinct sovereign power or end of government, but only the means of carrying into effect other powers which are sovereign. Whenever it becomes an appropriate means of exercising any of the powers given by the constitution to the government of the Union, it may be exercised by that government.—Id., 411, 421.

411, 421.

If a certain means to carry into effect any of the powers expressly given by the constitution to the government of the Union, be an appropriate measure, not prohibited by the constitution, the degree of its necessity is a question of legislative discretion, not of judicial cognizance.—Id., 421.

The act of the 18th April, 1816, chap. 44, to incorporate the subscribers to the bank of the United States, is a law made in pursuance of the constitution.—Id., 424.

The bank of the United States has constitutionally a right to establish its branches or effices of discount and deposite within any state.—Id., 424.

There is nothing in the constitution of the United States similar to the articles of confederation, which excludes incidented to remain a way of the constitution of the United States similar to the articles of confederation, which excludes incidented or implied movers.—Id., 403.

In the states is nothing in the constitution of the United States similar to the articles of confederation, which excludes incidental or implied powers.—Id., 403.

If the end be legitimate, and within the scope of the constitution, all the means which are appropriate, which are plainly adapted to that end, and which are not prohibited, may constitutionally be employed to carry it into effect.—Id., 421.

The powers granted to Congress are not exclusive of similar powers existing in the states, unless where the constitution has expressly in terms given an exclusive power to

Congress, or the exercise of a like power is prohibited to the states, othere is a direct repugnancy or incompatibility in the exercise of it by the states.—Houston vs. Moore, 5 When-

The example of the first class is to be found in the exclusive legislation delegated to Congress over places purchased by the consent of the legislature of the state in which the rame shall be for forts, arsenals, dockyards, &c. Of the second class, the prohibition of a t..... to coin money or emit bills of credit. Of the third class, the power to establish a uniform rule of naturalization, and the delegation of admiralty and maritime jurisdiction. —Id., 49.

In all other classes of cases the states retain concurrent authority with Congress.—Id., 48.

In all other classes of cases the states retain concurrent authority with Congress.—Id., 48. But in cases of concurrent authority, where the laws of the states and of the Union are in direct and manifest collision on the same subject, those of the Union being the supreme law of the land, are of paramount authority, and the state so far, and so far only as such incompatibility exists, must necessarily yield.—Id., 49.

The state within which a branch of the United States bank may be established, can not,

the Congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or ex post facto law shall be passed.

No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another: nor shall vessels bound to, or from, one state, be obliged to enter, clear, or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States: And no person holding any office of profit or trust under them, shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state.

Section 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts,\* or grant any title of nobility.

without violating the constitution, tax that branch,-McCulloch vs. State of Maryland, 4 Wheaton, 425.

The state governments have no right to tax any of the constitutional means employed by

No state shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and impoets, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the Congress.

No state shall, without the consent of Congress, lay any duty of tonnage, keep troops, or ships-of-war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

#### ARTICLE IL

SECTION 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years," and, together with the vice-president, chosen for the same term, be elected, as follows:

Each state shall appoint, in such manner as the legislature thereof may direct,† a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the Congress: but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

IThe electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of

and where they continued to reside until the suit was brought.—Farmers and Mechanics' Bank vs. Smith, 6 Whealon, 131.

The act of New York, passed on the 3d of April, 1811 (which not only liberates the person of the debtor, but discharges him from all liability for any debt contracted previous to his discharge, on his surrendering his property in the manner it prescribes), so far as it attempts to discharge the contract, is a law impairing the obligation of contracts within the meaning of the constitution of the United States, and is not a good plea in bar of an action brought upon such contract.—Stargess vs. Crowninshield, 4 Whealon, 122, 197.

Statutes of limitation and usury laws, unless retroactive in their effect, do not impair the obligation of contracts, and are constitutional.—1d. 206.

A state bankrupt or insolvent law (which not only liberates the person of the debtor, but discharges him from all liability for the debt), so far as it attempts to discharge the contract, is repugant to the constitution of the United States, and it makes no difference in

tract, is repugnant to the constitution of the United States, and it makes no difference in the application of this principle, whether the law was passed before or after the debt was contracted.—Mc Mülen vs. Mc Neill, 4 Wheaton, 200.

The charter granted by the British crown to the trustees of Dartmouth college, in New Hampshire, in the year 1769, is a contract within the meaning of that clause of the constitution of the United States (art. i., sect. 10) which declares, that no state shall make any law impairing the obligations of contracts. The charter was not dissolved by the revolution.—College vs. Woodard, 4 Wheaton, 518.

An act of the state legislature of New Hampshire, altering the charter of Dartmouth college in a material respect, without the consent of the corporation, is an act impairing the obligation of the charter, and is unconstitutional and void.—Id. 518.

obligation of the charter, and is unconstitutional and void.—Id., 518.

See laws United States, vol. ii., chap. 109, sect. 12.
 See laws United States, vol. ii., chap. 109.

I Vide amendments, art. xii.

all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.\*]

The Congress may determine the time of choosing the electors,† and the day on which they shall give their votes; which day shall be the

same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the Congress may by law provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

The president shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the constitution of the United States."

Section 2. The president shall be commander-in-chief of the army and

tablished by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall ex-

pire at the end of their next session.

Section 3. He shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment. he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECTION 4. The president, vice-president and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

#### ARTICLE III.

SECTION 1. The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.†

SECTION 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;—to all cases affecting ambassadors, other public ministers and consuls;—to all cases of admiralty and maritime jurisdiction;—to controversies to which the United States shall be a party;—to controversies between two or more states; -- between a state and citizens of another state; -- between citizens of different states, t-between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

† See laws of the United States, vol. ii., chap. 20. ‡ A citizen of the District of Columbia is not a citizen of a state within the meaning of

Congress may constitutionally impose upon the judges of the supreme court of the United States the burden of holding circuit courts.—Stuart vs. Laird, 1 Cranch, 299.

the constitution of the United States.—Hepburn et al vs. Elizey, 2 Cranch, 445.

§ The supreme court of the United States has not power to issue a mandamus to a secretary of state of the United States, it being an exercise of original jurisdiction not warranted by the constitution, notwithstanding the act of Congress.—Marbury vs. Madison, 1 Cranch, 137.

See a restriction of this provision.—Amendments, art. xi.

|| The appellate jurisdiction of the supreme court of the United States extends to a final in the appendix jurisdiction of the supreme court of the United States extends to a final judgment or decree in any suit in the highest court of law, or equity of a state, where is drawn in question the validity of a treaty, &c.—Martin vs. Hunter's lessee, I Wheaton, 304. Such judgment, &c., may be re-examined by writ of error, in the same manner as if rendered in a circuit court.—Id.

If the cause has been once remanded before, and the state court decline or refuse to carry Vol. I.—2

The trial of all crimes, except in cases of impeachment, shall be by jury ; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial

into effect the mandate of the supreme court thereon, this court will proceed to a final decision of the same, and award execution thereon.

Quere, -Whether this court has authority to issue a mandamus to the state court to en-

orce a former judgment i-Id., 362.

If the validity or construction of a treaty of the United States is drawn in question, and the decision is against its validity, or the title specially set up by either party under the treaty, this court has jurisdiction to ascertain that title, and determine its legal validity, and is not confined to the abstract construction of the treaty itself .- Id., 362.

Quere.—Whether the courts of the United States have jurisdiction of offences at common law against the United States ?—United States vs. Coolidge, 1 Wheaton, 415.

The courts of the United States have exclusive jurisdiction of all seizures made on land or water for a breach of the laws of the United States, and any intervention of a state authority, which by taking the thing seized out of the hands of the United States' officer, might obstruct the exercise of this jurisdiction, is illegal.—Slocum vs. Mayberry et al., 2 Wheaton, 1, 9.

In such a case the court of the United States have cognizance of the seizure, may enforce

In such a case the court of the United States have cognizance of the seizure, may enforce a redelivery of the thing by attachment or other summary process.—Id., 9.

The question under such a seizure, whether a forfeiture has been actually incurred, belongs exclusively to the courts of the United States, and it depends upon the final decree of such courts, whether the seizure is to be deemed rightful or tortuous.—Id., 9, 10.

If the seizing officer refuse to institute proceedings to ascertain the forfeiture, the district court may, on application of the aggrieved party, compel the officer to proceed to adjudication, or to abandon the seizure.—Id., 10.

The invisition of the circuit court of the United States extends to a case between citi-

The jurisdiction of the circuit court of the United States extends to a case between citi-The jurisdiction of the circuit court of the United States extends to a case between citizens of Kentucky, claiming lands exceeding the value of five hundred dollars, under different grants, the one issued by the state of Kentucky, and the other by the state of Virginia, upon warrants issued by Virginia, and locations founded thereon, prior to the separation of Kentucky from Virginia. It is the grant which passes the legal title to the land, and if the controversy is founded upon the conflicting grants of different states, the judicial power of the courts of the United States extends to the case, whatever may have been the equitable title of the parties prior to the grant.—Colson et al vs. Levis, 2 Wheaton, 377.

Under the judiciary of 1789, chap. 20. sect. 25, giving appellate jurisdiction to the supreme court of the United States, from the final judgment or decree of the highest court of law or equity of a state, in certain cases the writ of error may be directed to any court in which the record and sillegent as which it is one terms because the record has because

the record and judgment on which it is to act may be found : and if the record has been re-

shall be at such place or places as the Congress may by law have directed.

SECTION 3. Treason against the United States, shall consist only in

vested in the United States exclusive jurisdiction of all such cases, and that a murder committed in the waters of a state where the tide ebbs and flows, is a case of admiralty and maritime jurisdiction; yet Congress have not, in the 8th section of the act of 1790, chap. 9, "for the punishment of certain crimes against the United States," so exercised this power, as to confer on the courts of the United States jurisdiction over such murder.—United States ws. Beroars, 3 Wheaton, 336, 387.

Quere.—Whether courts of common law have concurrent jurisdiction with the admiralty

over murder committed in bays, &c., which are enclosed parts of the sea?—Id., 387.

The grant to the United States in the constitution of all cases of admiralty and maritime jurisdiction, does not extend to a cession of the waters in which those cases may arise, or

In a grant to the United States in the constitution of all cases of admiralty and maritime jurisdiction, does not extend to a cession of the waters in which those cases may arise, or of general jurisdiction over the same. Congress may pass all laws which are necessary for giving the most complete effect to the exercise of the admiralty and maritime jurisdiction granted to the government of the Union; but the general jurisdiction over the place subject to this grant, adheres to the territory as a portion of territory not yet given away, and the residuary powers of legislation still remain in the state.—Id., 389.

The supreme court of the United States has constitutionally appellate jurisdiction under the judiciary act of 1789, chap. 20, sect. 25, from the final judgment or decree of the highest court of law or equity of a state having jurisdiction of the subject matter of the suit, where is drawn in question the validity of a treaty or statute of, or an authority exercised under any state, on the ground of their being repugnant to the constitution, treaties, or laws of the United States, and the decision is in favor of such their validity: or of the constitution, or of a treaty, or statute of, or commission held under the United States, and the decision is against the title, right, privilege, or exemption, specially set up or claimed by either party under such clause of the constitution, treaty, statute, or commission.—Cohens vs. Virginia, 6 Wheaton, 264, 375.

It is no objection to the exercise of this appellate jurisdiction, that one of the parties is a state, and the other a citizen of that state.—Id.

The circuit courts of the Union have chancery jurisdiction in every state: they have the

state, and the other a citizen of that state.—Id.

The circuit courts of the Union have chancery jurisdiction in every state: they have the same chancery powers, and the same rules of decision in equity cases, in all the states.—
United States vs. Hovland, 4 Wheaton, 108, 115.

Resolutions of the legislature of Virginia of 1810, upon the proposition from Pennsylvania to amend the constitution, so as to provide an impartial tribunal to decide disputes between the state and federal judiciaries.—Note to Cohens vs. Virginia. Notes 6 Wheaton, 358.

Where a cause is brought to this court by writ of error, or appeal from the highest court of law, or equity of a state, under the 25th section of the judiciary act of 1789, chap. 20, upon the ground that the validity of a statute of the United States was drawn in question, and that the decision of the state court was against its validity, &c., or that the validity of the statute of a state was drawn in question as repugnant to the constitution of the United States, and the decision was in favor of its validity, it must appear from the record, that the act of Congress, or the constitutionality of the state law, was drawn in question.—Miller vs. Nicholls, 4 Wheaton, 311, 315.

But it is not required that the record should in terms state a misconstruction of the act

But it is not required that the record should in terms state a misconstruction of the act of Congress, or that it was drawn into question. It is sufficient to give this court jurisdiction of the cause, that the record should show that an act of Congress was applicable to the

case.—Id., 315.

The supreme court of the United States has no jurisdiction under the 25th section of the judiciary act of 1789, chap. 20, unless the judgment or decree of the state court be a final

judiciary act of 1789, chap. 20, unless the judgment or decree of the state court be a final judgment or decree. A judgment reversing that of an inferior court, and awarding a venire facias de novo, is not a final judgment.—Houston vs. Moore, 3 Wheaton, 433.

By the compact of 1802, settling the boundary line between Virginia and Tennessee, and the laws made in pursuance thereof, it is declared that all claims and titles to land derived from Virginia, or North Carolina, or Tennessee, which have fallen into the respective states, shall remain as secure to the owners thereof, as if derived from the government within whose boundary they have fallen, and shall not be prejudiced or affected by the establishment of the line. Where the titles of both the plaintiff and defendant in ejectment were derived under grant from Virginia to lands which fell within the limits of Tennessee, it was held that a prior settlement right thereto, which would in equity give the party a title, could not be asserted as a sufficient title in an action of ejectment brought in the circuit court of Tennessee.—Robinson vs. Campbell, 3 Wheaton, 212.

Although the state courts of Tennessee have decided that, under their statutes (declaring an elder grant founded on a junior entry to be void), a junior patent, founded on a prior en

an elder grant founded on a junior entry to be void), a junior patent, founded on a prior entry, shall prevail at law against a senior patent founded on a junior entry, this doctrine has never been extended beyond cases within the express provision of the statute of Tennessee, and could not apply to titles deriving all their validity from the laws of Virginia, and confirmed by the compact between the two states.—Id., 212.

See amendments, art vi.

levying war against them, or in adhering to their enemies, giving them aid and comfort.

No person shall be convicted of treason unless on the testimony of two

witnesses to the same overt act, or on confession in open court.

The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.\*

#### ARTICLE IV.

Section 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state.† And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.‡

Section 2. The citizens of each state shall be entitled to all privileges

and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

Section 3. New states may be admitted by the Congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the Congress.

The Congress shall have power to dispose of and make all needful rules

prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

#### ARTICLE VI.

All debts contracted and engagements entered into, before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land :t and the judges in every state shall be bound thereby, anything in the con stitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United

#### ARTICLE VII.

The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same. Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven and of the independence of the United States of America the twelfth. In witness whereof we have hereunto

> Go. WASHINGTON. President, and deputy from Virginia.

NEW HAMPSHIRE. JOHN LANGDON. NICHOLAS GILMAN.

subscribed our names.

MASSACHUSETTS. NATHANIEL GORHAM. ROPOS KING.

CONNECTICUT WILLIAM SAMUEL JOHNSON. ROGER SHERMAN.

NEW YORK. ALEXANDER HAMILTON.

WILLIAM LIVINGSTON. DAVID BREARLEY. WILLIAM PATERSON, JONATHAN DAYTON.

NEW JERSEY. JACOB BROOM.

Attest:

PENNSYLVANIA. BENJAMIN FRANKLIN. THOMAS MIFFLIN, ROBERT MORRIS. GEORGE CLYMER, THOMAS FITZSIMONS, JARED INGERSOLL, JAMES WILSON, GOUVERNEUR MORRIS.

DELAWARE. GEORGE REED, GUNNING BEDFORD, JR., JOHN DICKINSON. RICHARD BASSETT.

MARYLAND.

JAMES M'HENRY. DANIEL OF ST. THO. JENIFER, DABIEL CARROLL.

VIRGINIA. JOHN BLAIR.

JAMES MADISON, JR.

NORTH CAROLINA. WILLIAM BLOUNT, RICHARD DOBBS SPAIGHT, HUGH WILLIAMSON.

JOHN RUTLEDGE, CHARLES C. PINCENEY, CHARLES PINCENEY, PIERCE BUTLER.

GEORGIA

WILLIAM FEW. ABRAHAM BALDWIN.

WILLIAM JACKSON, Secretary.

• See ante art. L, sect. 3, clause 1.

† An act of Congress repuguant to the constitution can not become a law.—Marbury vs. Madison, 1 Cranch, 176.

‡ The courts of the United States are bound to take notice of the constitution.—Marbury vs. Madison, 1 Cranch, 178.

A contemporary exposition of the constitution, practised and acquiesced under for a period of years, fixes its construction.—Stuart vs. Laird, 1 Cranch, 299.

The government of the Union, though limited in its powers, is supreme within its sphere of action, and its laws, when made in pursuance of the constitution, form the supreme law of the land.—McCulloch vs. State of Maryland, 4 Wheaton, 405.

§ See laws of the United States, vol. ii., chap. 1.

# AMENDMENTS\*

TO THE CONSTITUTION OF THE UNITED STATES, RATIFIED ACCORDING TO THE PROVISIONS OF THE FIFTH ARTICLE OF THE FOREGOING CONSTITUTION.

ARTICLE THE FIRST. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ARTICLE THE SECOND. A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

ARTICLE THE THERD. No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in a time of war, but in a manner to be prescribed by law.

ARTICLE THE FOURTH. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ARTICLE THE FIFTH. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due

ARTICLE THE NINTH. The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE THE TENTH. The powers not delegated to the United States. by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

ARTICLE THE ELEVENTH. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

ARTICLE THE TWELFTH. The electors shall meet in their respective states, and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president, and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate; \( \)—the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates and the votes shall then be counted;—the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two

• The powers granted to Congress are not exclusive of similar powers existing in the states, unless where the constitution has expressly in terms given an exclusive power to Congress, or the exercise of a like power is prohibited to the states, or there is a direct re-

Congress, or the exercise of a like power is promoted to the states, or there is a direct repugnancy or incompatibility in the exercise of it by the states.—Houston vs. Moore, 5 Wheaton, 1, 12.

The example of the first class is to be found in the exclusive legislation delegated to Congress over places purchased by the consent of the legislature of the state in which the same shall be for forts, arsenals, dockyards, &c. Of the second class, the prohibition of a state to coin money or emit bills of credit. Of the third class, the power to establish a uniform

to coin money or emit bills of credit. Of the third class, the power to estations a uniform rule of naturalization, and the delegation of admiralty and maritime jurisdiction.—Id., 49. In all other classes of cases, the states retain concurrent authority with Congress.—Id. 49. But in cases of concurrent authority, where the laws of the states and the Union are in direct and manifest collision on the same subject, those of the Union being the supreme law of the land are of paramount authority, and the state laws so far, and so far only as such incompatibility exists, must necessarily yield.—Id., 49.

There is nothing in the constitution of the United States similar to the articles of confederation, which excludes incidental or implied powers.—McCulloch vs. State of Maryland, 4

If the end be legitimate, and within the scope of the constitution, all the means which are appropriate, which are plainly adapted to that end, and which are not prohibited, may constitutionally be employed to carry it into effect.—Id., 421.

The act of Congress of 4th May, 1812, entitled, "An act further to amend the charter of the city of Washington," which provides (sect. 6) that the corporation of the city shall be

empowered for certain purposes and under certain restrictions, to authorize the drawing of lotteries, does not extend to authorize the corporation to force the sale of the tickets in such lottery in states where such sale may be prohibited by the state laws.—Cohens vs. Virginia, 6 Wheaton, 264, 375.

† This amendment was proposed at the first session of the third Congress. See ante art.

iii., sect. 2, clause 1.

† Proposed at the first session of the eighth Congress. See ante art. ii., sect. 1, clause 3 Annulled by this amendment.

& See laws of the United States, vol. ii., chap. 109, sect. 5.

thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president. The person having the greatest number of votes as vice-president, shall be the vice-president, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice-president; a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

Note.—Another amendment was proposed as article xiii., at the second session of the eleventh Congress, but not having been ratified by a sufficient number of states, has not yet become valid as a part of the constitution of the United States. It is erroneously given as a part of the constitution, in page 74, vol i., laws of the United States.

I have examined and compared the foregoing print of the constitution of the United States, and the amendments thereto, with the rolls in this office, and find it a faithful and literal copy of the said constitution and amendments, in the text and punctuation thereof. It appears that the first ten amendments, which were proposed at the first session of the first Congress of the United States, were finally ratified by the constitutional number of states, on the 15th day of December, 1791; that the eleventh amendment, which was proposed at the first session of the third Congress, was declared, in a message from the president of the United States to both houses of Congress, dated 8th January, 1798, to have been adopted by three fourths, the constitutional number of states; and that the twelfth amendment, which was proposed at the first session of the eighth Congress, was adopted by three fourths, the constitutional number of states, in the year one thousand eight hundred and four, according to a public notice thereof, by the secretary of state, under date the 25th of September, of the same year.

# BIOGRAPHICAL SKETCH

OF

# GEORGE WASHINGTON.

THE family of Washington, in Virginia, is descended from English ancestors, who were anciently established at Turtfield and Warton, in Lancashire, from a branch of whom came Sir William Washington, of Leicestershire, eldest son and heir of Lawrence Washington, Esq., of Sulgrave, in Northamptonshire. Sir William had, besides other younger brothers, two, named John and Lawrence, who emigrated to Virginia in 1657, and settled at Bridge's creek, on the Potomac river, in the county of Westmoreland. John, the father of Lawrence Washington, died in 1697, leaving two sons, John and Augustine. Augustine died in 1743, at the age of forty-nine, leaving several sons by his two marriages. George, the president, was the eldest by his second wife, Mary Ball, and was born at Bridge's creek, on the 22d of February (or 11th, old style), 1732.

Having lost his father at the age of ten years, George Washington received what was called an English education, a term which excludes the acquisition of other languages than our own. His disposition for a military life disclosed itself at an early age, being only fifteen when he expressed a desire to enter the British navy, and the place of a midshipman was obtained for him. The interference of an affectionate mother suspended for a time the commencement of his military course.

As his patrimonial estate was by no means considerable, his youth was employed in youthful industry, and in the practice of his profession as a surveyor he had an opportunity of acquiring information respecting vacant lands, and of forming those opinions concerning their future value, which afterward greatly contributed to increase his private fortune.

When about nineteen years of age, such was the opinion entertained of his capacity, that, at a time when the militia were to be trained for actual service, he was appointed one of the adjutants-general of Virginia, with the rank of major, the duties of which office, however, he performed but for a short time.

The plan formed by France for connecting her extensive dominions in America by uniting Canada with Louisiana, now began to develop itself. Possession was taken by the French of a tract of country then deemed to be within the province of Virginia, and a line of posts was commenced from Canada to the Ohio river. The attention of Lieutenant-Governor Dinwiddie, of Virginia, was attracted by these movements, and he deemed it his duty to send a messenger to the French officers and demand, in the name of the king of Great Britain, that they should desist from the prosecution of designs which violated, as he thought, the treaties between the two crowns. Washington, at his own desire, was selected for this hazardous enterprise, and he engaged in it with alacrity, commencing his journey the day on which he was commissioned, in October, 1753. His course was through a dreary wilderness, inhabited for the most part only by Indians, many of whom were hostile to the English. Conducted by guides over the Allegany mountains, he suffered many hardships, and experienced many narrow escapes, but succeeded in reaching the French forts on the Allegany branches of the Ohio. After delivering the lieutenant-governor's letter to St. Pierre, the French commanding officer, and receiving an answer, he returned, with infinite fatigue and much danger, from the hostile Indians, to Williamsburg. The manner in which he performed his duty on this occasion raised him much in public opinion, as well as in that of the lieutenant-governor. His journal, which extended to sixty days, was published by authority, and laid the foundation of Washington's fame, as it gave strong evidence of his sagacity, fortitude, and

terms of capitulation, and articles were signed, by which the fort was surrendered, and the garrison allowed the honors of war, and permitted to return unmolested into the inhabited parts of Virginia. Great wedit was given to Colonel Washington by his countrymen, for the courage displayed on this occasion, and the legislature were so satisfied with the conduct of the party as to vote their thanks to him and the officers under his command. They also ordered three hundred pistoles to be distributed among the soldiers, as a reward for their bravery.

Soon after this campaign, Washington retired from the militia service, in consequence of an order from the war department in England, which put those of the same military rank in the royal army over the heads of those in the provincial forces. This order created great dissatisfaction in the colonies, and Washington, while refusing to submit to the degradation required, declared that he would serve with pleasure when he should be enabled to do so without dishonor.

The unfortunate expedition of General Braddock followed in 1755. The general, being informed of the merit of Washington, invited him to enter into his family as a volunteer and aid-de-camp. This invitation Colonel Washington accepted, as he was desirous to make one campaign under an officer supposed to possess some knowledge in the art of war. The disastrous result of Braddock's expedition is well known. In the battle of the Monongahela, in which General Braddock was killed, Washington had two horses shot under him, and four balls passed through his coat, as his duty and situation exposed him to every danger. Such was the general confidence in his talents, that he may be said to have conducted the retreat.

On his return home, Colonel Washington was appointed, by the legislature of the colony, commander-in-chief of all the forces raised and to be raised in Virginia, which appointment he accepted, and for about three years devoted his time to recruiting and organizing troops for the defence of the colony. In 1758 he commanded an expedition to Fort Du Quesne. which terminated successfully, and the French retired from the western frontier. At the close of this campaign Washington left the army, and was soon after married to Mrs. Martha Custis, a widow lady of Virginia, of amiable character and highly respectable connexions. From the date of his marriage until the year 1774, a period of about sixteen years, Washington passed his time in the enjoyment of domestic life, and in the cultivation of his estate at his beautiful family-seat of Mount Vernon. He was occasionally called upon, however, to discharge duties as a magistrate of the county, or a member of the legislature. When the difficulties between Great Britain and her American colonies assumed a threatening aspect, in 1774, he was sent to the continental congress as one of the delegates from Virginia. The following year, when an army of provincials had concentrated in Massachusetts, prepared for a contest with the

troops of the mother-country, Washington was unanimously chosen by the continental congress as the commander-in-chief, and took the command of the army in July, 1775.

To detail his operations in the years which followed would be to repeat the history of the war of the American revolution. Within a very short period after the declaration of independence, the affairs of America were in a condition so desperate that perhaps nothing but the peculiar character of Washington's genius could have retrieved them. His magnanimity during the ravages and distress of a civil war, in which he acted so conspicuous a part, has been much and justly celebrated. When peace came, he hastened to resign his commission to congress, and became a private citizen.

The conclusion of the revolutionary war permitted Washington to return to those domestic scenes in which he delighted, and from which no views of ambition seem to have had the power to draw his affections. One of the greatest proofs of his patriotism was his refusal to receive any pecuniary compensation for his services as commander-in-chief during the eight years in which he had served his country in that capacity. When he accepted the appointment he announced to congress his determination to decline payment for his services. He simply asked the reimbursement of his expenses, an exact account of which he kept and presented to the government, drawn up by his own hand at the close of the war.

Washington was not long allowed to remain in retirement. To remedy the distress into which the country had been thrown by the war, and to

libels, and by tumultuous meetings. The law of nations was trampled under foot. No vexation could disturb the tranquillity of his mind, or make him deviate from the policy which his situation prescribed During the whole course of that arduous struggle, his personal character gave that strength to a new magistracy which in other countries arises from ancient habits of obedience and respect. The authority of his virtue was more efficacious for the preservation of America than the legal powers of his office. During this turbulent period he was unanimously re-elected to the presidency, in 1793, for another term, although he had expressed a wish to retire. The nation was then nearly equally divided into two great political parties, who united only on the name of Washington. Throughout the whole course of his second presidency the danger of the United States was great and imminent. The spirit of change, indeed. shook all nations. But in other countries it had to encounter ancient and strong established power; in America the government was new and weak; the people had scarcely time to recover from the effects of a recent civil war. Washington employed the horror excited by the atrocities of the French revolution for the best purposes; to preserve the internal quiet of his country; to assert the dignity and to maintain the rights of the commonwealth which he governed, against foreign enemies. He avoided war, without incurring the imputation of pusillanimity. He cherished the detestation of the best portion of his countrymen for anarchy, without weakening the spirit of liberty; and he maintained the authority of the government without infringing on the rights of the states, or abridging the privileges of the people. He raised no hopes that he did not gratify; he made no promises that he did not fulfil; he exacted proper respect due to the high office he held, and rendered to others every courtesy belonging to his high station.

Having determined to retire from the presidency at the expiration of his second term, in March, 1797, he issued in September, 1796, a farewell address to the people of the United States, which will be found in this volume, and which will remain as a permanent legacy to his countrymen through future generations, for its sentiments of patriotism and sound maxims of political sagacity. He remained at the seat of government until the inauguration of his successor, Mr. Adams, which occasion he honored with his presence, and immediately retired to Mount Vernon, to pass the remainder of his days in quiet retirement; but when, in 1798, the United States armed by sea and land, in consequence of their difficulties with France, he consented to act as lieutenant-general of the army; but was never afterward called upon to take the field, although he bore the commission until his death. On Thursday, the 12th of December, 1799, he was seized with an inflammation in his throat, which became considerably worse the next day, and which terminated his life on Saturday, the 14th of the same month, in the sixty-righth year of his age.

"No man," says Colonel Knapp, in his biographical sketch, "was ever mourned so widely and sincerely as Washington. Throughout the United States, eulogies were pronounced upon his character, sermons were preached, or some mark of respect paid to his memory. It was not speaking extravagantly to say that a nation was in tears at his death. There have been popular men, who were great in their day and generation, but whose fame soon passed away. It is not so with the fame of Washington, it grows brighter by years. The writings of Washington (a portion only of which comprise eleven octavo volumes) show that he had a clear, lucid mind, and will be read with pleasure for ages to come."

"General Washington," says Judge Marshall, "was rather above the common size; his frame was robust, and his constitution vigorous—capable of enduring great fatigue, and requiring a considerable degree of exercise for the preservation of his health. His exterior created in the beholder the idea of strength united with manly gracefulness.

"His manners were rather reserved than free, though they partook nothing of that dryness and sternness which accompany reserve when carried to an extreme; and on all proper occasions he could relax sufficiently to show how highly he was gratified by the charms of conversation, and the pleasures of society. His person and whole deportment exhibited an unaffected and indescribable dignity, unmingled with haughtiness, of which all who approached him were sensible; and the attachment of those who possessed his friendship, and enjoyed his intimacy, was ardent, but always respectful.

### WASHINGTON'S

# ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

APRIL 30, 1789.

Fellow-Citizens of the Senate and of the House of Representatives:-

Anone the vicissitudes incident to life, no event could have filled me with greater anxieties than that of which the notification was transmitted by your order, and received on the 14th day of the present month. On the one hand, I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years—a retreat which was rendered every day more necessary as well as more dear to me by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions. all I dare aver is, that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is, that if, in accepting this task, I have been too much swayed by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendant proof of the confidence of my fellow-citizens, and have thence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country with some share of the partiality with which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that his benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for

these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own, nor those of my fellow-citizens at large less than either. No people can be bound to acknowledge and adore the invisible Hand which conducts the affairs of men, more than the people of the United States. Every step by which they have advanced to the character of an independent nation seems to have been distinguished by some token of providential agency; and in the important revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities from which the event has resulted, can not be compared with the means by which most governments have been established, without some return of pious gratitude, along with an humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the president "to recommend to your consideration such measures as he shall judge necessary and expedient." The circumstances under which I now meet you will acquit me from entering into that subject farther than to refer to the great constitutional charter under which you are assembled, and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me to substitute in place of a recommendation of particular measures.

egated by the fifth article of the constitution is rendered expedient at the present juncture by the nature of the objections which have been urged against the system, or by the degree of inquietude which has given birth to them. Instead of undertaking particular recommendations on this subject, in which I could be guided by no lights derived from official opportunities, I shall again give way to my entire confidence in your discernment and pursuit of the public good; for I assure myself that while you carefully avoid every alteration which might endanger the benefits of a united and effective government, or which ought to await the future lessons of experience, a reverence for the characteristic rights of freemen, and a regard for the public harmony will sufficiently influence your deliberations on the question how far the former can be more impregnably fortified, or the latter be safely and advantageously promoted.

To the preceding observations I have one to add which will be most properly addressed to the house of representatives. It concerns myself, and will therefore be as brief as possible. When I was first honored with a call into the service of my country, then on the eve of an arduous struggle for its liberties, the light in which I contemplated my duty required that I should renounce every pecuniary compensation. From this resolution I have in no instance departed; and being still under the impressions which produced it, I must decline as inapplicable to myself any share in the personal emoluments which may be indispensably included in a permanent provision for the executive department, and must accordingly pray that the pecuniary estimates for the station in which I am placed may, during my continuance in it, be limited to such actual expenditures as the public good may be thought to require.

Having thus imparted to you my sentiments as they have been awakened by the occasion which brings us together, I shall take my present leave; but not without resorting once more to the benign Parent of the human race in humble supplication that, since he has been pleased to favor the American people with opportunities for deliberating in perfect tranquillity, and dispositions for deciding with unparalleled unanimity on a form of government for the security of their union and the advancement of their happiness, so his divine blessing may be equally conspicuous in the enlarged views, the temperate consultations, and the wise measures, on which the success of this government must depend.

### FIRST ANNUAL ADDRESS.

JANUARY 8, 1790.

Fellow-Citizens of the Senate and of the House of Representatives :-

I EMBRACE with great satisfaction the opportunity which now presents itself of congratulating you on the present favorable prospects of our public affairs. The recent accession of the important state of North Carolina to the constitution of the United States (of which official information has been received), the rising credit and respectability of our country, the general and increasing good-will toward the government of the Union, and the concord, peace, and plenty, with which we are blessed, are circumstances auspicious, in an eminent degree, to our national prosperity.

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In resuming your consultations for the general good, you can not but derive encouragement from the reflection that the measures of the last session have been as satisfactory to your constituents as the novelty and difficulty of the work allowed you to hope. Still further to realize their expectations and to secure the blessings which a gracious Providence has placed within our reach, will, in the course of the present important session, call for the cool and deliberate exertion of your patriotism, firmness, and wisdom.

Among the many interesting objects which will engage your attention, that of providing for the common defence will merit particular regard. To be prepared for war is one of the most effectual means of preserving peace.

A free people ought not only to be armed, but disciplined, to which end a uniform and well-digested plan is requisite; and their safety and interest require that they should promote such manufactories as tend to render them independent on others for essential, particularly military, supplies.

The proper establishment of the troops which may be deemed indispensable will be entitled to mature consideration. In the arrangements which may be made respecting it, it will be of importance to conciliate the comfortable support of the officers and soldiers, with a due regard to economy.

There was reason to hope that the pacific measures adopted with regard to certain hostile tribes of Indians would have relieved the inhabitants of our southern and western frontiers from their depredations; but you will perceive, from the information contained in the papers which I shall direct to be laid before you (comprehending a communication from the commonwealth of Virginia), that we ought to be prepared to afford protection to those parts of the Union, and, if necessary, to punish ag-

basis of public happiness. In one in which the measures of government receive their impressions so immediately from the sense of the community as in ours, it is proportionably essential. To the security of a free constitution it contributes in various ways: by convincing those who are intrusted with the public administration that every valuable end of government is best answered by the enlightened confidence of the people, and by teaching the people themselves to know and to value their own rights, to discern and provide against invasions of them, to distinguish between oppression and the necessary exercise of lawful authority, between burdens proceeding from a disregard to their convenience, and those resulting from the inevitable exigencies of society, to discriminate the spirit of liberty from that of licentiousness, cherishing the first, avoiding the last, and uniting a speedy but temperate vigilance against encroschments with an inviolable respect to the laws.

Whether this desirable object will be best promoted by affording aids to seminaries of learning already established, by the institution of a national university, or by any other expedients, will be well worthy of a place in the deliberations of the legislature.

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# Gentlemen of the House of Representatives :-

I saw with peculiar pleasure, at the close of the last session, the resolution entered into by you expressive of your opinion that an adequate provision for the support of the public credit is a matter of high importance to the national honor and prosperity. In this sentiment I entirely concur. And, to a perfect confidence in your best endeavors to devise such a provision as will be truly consistent with the end, I add an equal reliance on the cheerful co-operation of the other branch of the legislature. It would be superfluous to specify inducements to a measure in which the character and permanent interests of the United States are so obviously and so deeply concerned, and which has received so explicit a sanction from your declaration.

#### Gentlemen of the Senate and House of Representatives:—

I have directed the proper officers to lay before you, respectively, such papers and estimates as regard the affairs particularly recommended to your consideration, and necessary to convey to you that information of the state of the Union which it is my duty to afford.

The welfare of our country is the great object to which our cares and efforts ought to be directed. And I shall derive great satisfaction from a co-operation with you in the pleasing though arduous task of insuring to our fellow-citizens the blessings which they have a right to expect from a free, efficient, and equal government.

# SECOND ANNUAL ADDRESS.

DECEMBER 8, 1790.

Fellow-Citizens of the Senate and of the House of Representatives :-

In meeting you again, I feel much satisfaction in being able to repeat my congratulations on the favorable prospects which continue to distinguish our public affairs. The abundant fruits of another year have blessed our country with plenty and with the means of a flourishing commerce. The progress of public credit is witnessed by a considerable rise of American stock abroad as well as at home; and the revenues allotted for this and other national purposes have been productive beyond the calculations by which they were regulated. The latter circumstance is the more pleasing, as it is not only a proof of the fertility of our resources, but as it assures us of a further increase of the national respectability and credit; and, let me add, as it bears an honorable testimony to the patriotism and integrity of the mercantile and marine part of our citizens. The punctuality of the former in discharging their engagements has been exemplary.

In conforming to the powers vested in me by acts of the last session, a loan of three millions of florins, toward which some provisional measures had previously taken place, has been completed in Holland. As well the celerity with which it has been filled, as the nature of the terms (considering the more than ordinary demands for borrowing, created by the situation of Europe), give a reasonable hope that the further execution of those powers may proceed with advantage and success. The secretary of the treasury has my direction to communicate such further particulars

as may be requisite for more precise information.

Since your last session I have received communications by which it

These aggravated provocations rendered it essential to the safety of the western settlements that the aggressors should be made sensible that the government of the Union is not less capable of punishing their crimes than it is disposed to respect their rights and reward their attachments. As this object could not be effected by defensive measures, it became necessary to put in force the act which empowers the president to call out the militia for the protection of the frontier. I have accordingly authorized an expedition in which the regular troops in that quarter are combined with such draughts of militia as were deemed sufficient. The event of the measure is yet unknown to me. The secretary of war is directed to lay before you a statement of the information on which it is founded, as well as an estimate of the expense with which it will be attended.

The disturbed situation of Europe, and particularly the critical posture of the great maritime powers, while it ought to make us the more thankful for the general peace and security enjoyed by the United States, reminds us at the same time of the circumspection with which it becomes us to preserve these blessings. It requires, also, that we should not overlook the tendency of a war, and even of preparations for a war, among the nations most concerned in active commerce with this country, to abridge the means, and thereby at least enhance the price, of transporting its valnable productions to their proper market. I recommend it to your serious reflections how far, and in what mode, it may be expedient to guard against embarrassments from these contingencies, by such encouragement to our own navigation as will render our commerce and agriculture less dependent on foreign bottoms, which may fail us in the very moments most interesting to both of these great objects. Our fisheries and the transportation of our own produce offer us abundant means for guarding ourselves against this evil.

Your attention seems to be not less due to that particular branch of our trade which belongs to the Mediterranean. So many circumstances unite in rendering the present state of it distressful to us, that you will not think any deliberations misemployed which may lead to its relief and protection.

The laws you have already passed for the establishment of a judiciary system, have opened the doors of justice to all descriptions of persons. You will consider in your wisdom whether improvements in that system may yet be made; and particularly whether a uniform process of execution on sentences issuing from the federal courts be not desirable through all the states.

The patronage of our commerce, of our merchants, and seamen, has called for the appointment of consuls in foreign countries. It seems expedient to regulate by law the exercise of that jurisdiction and those functions which are permitted them, either by express convention or by a friendly indulgence, in the places of their residence. The consular convention, too, with his most Christian majesty, has stipulated, in certain cases, the aid of the national authority to his consuls established here. Some legislative provision is requisite to carry these stipulations into full effect.

The establishment of the militia, of a mint, of standards of weights and measures, of the postoffice and post-roads, are subjects which I presume you will resume of course, and which are abundantly urged by their own importance.

# Gentlemen of the House of Representatives :-

The sufficiency of the revenues you have established for the objects to which they are appropriated, leaves no doubt but the residuary provisions will be commensurate to the other objects for which the public faith stands now pledged. Allow me, moreover, to hope that it will be a favorite policy with you, not merely to secure a payment of the interest of the debt funded, but as far and as fast as the growing resources of the country will permit, to exonerate it of the principal itself. The appropriations you have made of the western lands explain your disposition on this subject, and I am persuaded that the sooner that valuable fund can be made to contribute, along with other means, to the actual reduction of the public debt, the more salutary will the measure be to every public interest, as well as the more satisfactory to our constituents.

# Gentlemen of the Senate and House of Representatives :-

In pursuing the various and weighty business of the present session, I indulge the fullest persuasion that your consultations will be equally marked with wisdom and animated by the love of your country. In whatever belongs to my duty, you shall have all the co-operation which an undiminished zeal for its welfare can inspire. It will be happy for us both, and our best reward, if, by a successful administration of our respective trusts, we can make the established government more and more instrumental in promoting the good of our fellow-citizens, and more and more the object of their attachment and confidence

MITTER ANNIEL APPROAC

official communications that will be made to you in the course of your deliberations.

The rapid subscriptions to the bank of the United States which completed the sum allowed to be subscribed in a single day, is among the striking and pleasing evidences which present themselves, not only of confidence in the government, but of resources in the community.

In the interval of your recess, due attention has been paid to the execution of the different objects which were specially provided for by the

laws and resolutions of the last session.

Among the most important of these is the defence and security of the western frontiers. To accomplish it on the most humane principles was

a primary wish.

Accordingly, at the same time that treaties have been provisionally concluded, and other proper means used to attach the wavering and to confirm in their friendship, the well-disposed tribes of Indians, effectual measures have been adopted to make those of a hostile description sensible that a pacification was desired upon terms of moderation and justice.

These measures having proved unsuccessful, it became necessary, to convince the refractory of the power of the United States, to punish their depredations. Offensive operations have therefore been directed, to be conducted, however, as consistently as possible with the dictates of humanity. Some of these have been crowned with full success, and others are yet depending. The expeditions which have been completed were carried on under the authority and at the expense of the United States by the militia of Kentucky, whose enterprise, intrepidity, and good conduct, are entitled to peculiar commendation.

Overtures of peace are still continued to the deluded tribes, and considerable numbers of individuals belonging to them have lately renounced all further opposition, removed from their former situations, and placed them

selves under the immediate protection of the United States.

It is sincerely to be desired that all need of coercion in future may cease, and that an intimate intercourse may succeed, calculated to advance the happiness of the Indians and to attach them firmly to the United States.

In order to this, it seems necessary—

That they should experience the benefits of an impartial dispensation

of justice.

That the mode of alienating the lands, the main source of discontent and war, should be so defined and regulated as to obviate impositions, and, as far as may be practicable, controversy concerning the reality and extent of the alienations which are made.

That commerce with them should be promoted under regulations tending to secure an equitable deportment toward them, and that such rational experiments should be made for imparting to them the blessings of civilization as may from time to time suit their condition.

That the executive of the United States should be enabled to employ the means to which the Indians have been long accustomed for uniting their immediate interests with the preservation of peace.

And that efficacious provision should be made for inflicting adequate penalties upon all those who, by violating their rights, shall infringe the treaties and endanger the peace of the Union.

A system corresponding with the mild principles of religion and philanthropy toward an unenlightened race of men, whose happiness materially depends on the conduct of the United States, would be as honorable to the national character as conformable to the dictates of sound policy.

The powers specially vested in me by the act laying certain duties on distilled spirits, which respect the subdivisions of the districts into surveys, the appointment of officers, and the assignment of compensation, have likewise been carried into effect. In a matter in which both materials and experience were wanting to guide the calculation, it will be readily conceived that there must have been difficulty in such an adjustment of the rates of compensation as would conciliate a reasonable competency, with a proper regard to the limits prescribed by law. It is hoped that the circumspection which has been used will be found, in the result, to have secured the last of the two objects; but it is probable that, with a view to the first, in some instances a revision of the provision will be found advisable.

The impressions with which this law has been received by the community have been, upon the whole, such as were to be expected among enlightened and well-disposed citizens, from the propriety and necessity of the measure. The novelty, however, of the tax, in a considerable part of the United States, and a misconception of some of its provisions, have given occasion in particular places to some degree of discontent. But it is satisfactory to know that this disposition yields to proper explanations and more just apprehensions of the true nature of the law. And I entertain a full confidence that it will, in all, give way to motives which arise out of a just sense of duty and a virtuous regard to the public welfare.

If there are any circumstances in the law which, consistently with its main design, may be so varied as to remove any well-intentioned objections that may happen to exist, it will consist with a wise moderation to make the proper variations. It is desirable, on all occasions, to unite, with a steady and firm adherence to constitutional and necessary acts of

# Gentlemen of the Senate:-

Two treaties which have been provisionally concluded with the Cherokees and Six Nations of Indians will be laid before you for your consideration and ratification.

## Gentlemen of the House of Representatives:-

In entering upon the discharge of your legislative trust, you must anticipate with pleasure that many of the difficulties necessarily incident to the first arrangements of a new government for an extensive country have been happily surmounted by the zealous and judicious exertions of your predecessors, in co-operation with the other branch of the legislature. The important objects which remain to be accomplished will, I am persuaded, be conducted upon principles equally comprehensive and equally well calculated for the advancement of the general weal.

The time limited for receiving subscriptions to the loans proposed by the act for making provisions for the debt of the United States having expired, statements from the proper department will, as soon as possible, apprize you of the exact result. Enough, however, is already known to afford an assurance that the views of that act have been substantially fulfilled. The subscription, in the domestic debt of the United States, has embraced by far the greatest proportion of that debt; affording, at the same time, proof of the general satisfaction of the public creditors with the system which has been proposed to their acceptance, and of the spirit of accommodation to the convenience of the government with which they are actuated. The subscriptions in the debts of the respective states, as far as the provisions of the law have permitted, may be said to be yet more general. The part of the debt of the United States which remains unsubscribed will naturally engage your further deliberations.

It is particularly pleasing to me to be able to announce to you that the revenues which have been established promise to be adequate to their objects, and may be permitted, if no unforeseen exigency occur, to supersede for the present the necessity of any new burdens upon our constituents.

An object which will claim your early attention is a provision for the current service of the ensuing year, together with such ascertained demands upon the treasury as require to be immediately discharged, and such casualties as may have arisen in the execution of the public business, for which no specific appropriation may have yet been made; of all which a proper estimate will be laid before you.

#### Gentlemen of the Senate and of the House of Representatives:-

I shall content myself with a general reference to former communications for several objects upon which the urgency of other affairs has hitherto postponed any definite resolution. Their importance will recall them to your attention; and I trust that the progress already made in the most arduous arrangements of the government will afford you leisure to resume them with advantage.

There are, however, some of them of which I can not forbear a more particular mention. These are the militia; the postoffice and postroads; the mint; weights and measures; a provision for the sale of the vacant lands of the United States.

The first is certainly an object of primary importance, whether viewed in reference to the national security, to the satisfaction of the community,

or to the preservation of order. In connexion with this, the establishment of competent magazines and arsenals, and the fortification of such places as are peculiarly important and vulnerable, naturally present themselves to consideration. The safety of the United States, under divine protection, ought to rest on the basis of systematic and solid arrangements, exposed as little as possible to the hazards of fortuitous circumstances.

The importance of the postoffice and postroads, on a plan sufficiently liberal and comprehensive, as they respect the expedition, safety, and facility of communication, is increased by their instrumentality in diffusing a knowledge of the laws and proceedings of the government, which, while it contributes to the security of the people, serves also to guard them against the effects of misrepresentation and misconception. The establishment of additional cross-posts, especially to some of the important points in the western and northern parts of the Union, can not fail to be of material utility.

The disorders in the existing currency, and especially the scarcity of small change, a scarcity so peculiarly distressing to the poorer classes, strongly recommend the carrying into immediate effect the resolution already entered into concerning the establishment of a mint. Measures have been taken pursuant to that resolution for procuring some of the most necessary artists, together with the requisite apparatus.

A uniformity in the weights and measures of the country is among the important objects submitted to you by the constitution, and if it can be derived from a standard at once invariable and universal, must be no less honorable to the public councils than conducive to the public convenience.

A provision for the sale of the vacant lands of the United States is particularly urged, among other reasons, by the important considerations that they are pledged as a fund for reimbursing the public debt; that, if timely and judiciously applied, they may save the necessity for burdening our

complish these desirable purposes; in making which efforts, I consulted less my own anticipations of the event, or the scruples which some considerations were calculated to inspire, than the wish to find the object attainable, or, if not attainable, to ascertain unequivocally that such was the case.

A detail of the measures that have been pursued, and of their consequences, which will be laid before you, while it will confirm to you the want of success thus far, will, I trust, evince that means as proper and as efficacious as could have been devised have been employed. The issue of some of them, indeed, is still depending; but a favorable one, though not to be despaired of, is not promised by anything which has yet happened.

In the course of the attempts which have been made, some valuable citizens have fallen victims to their zeal for the public service. A sanction commonly respected even among savages has been found, in this instance, insufficient to protect from massacre the emissaries of peace. It will, I presume, be duly considered whether the occasion does not call for an exercise of liberality toward the families of the deceased.

It must add to your concern to be informed that, besides the continuation of hostile appearances among the tribes north of the Ohio, some threatening symptoms have of late been revived among some of those south of it.

A part of the Cherokees, known by the name of Chickamagas, inhabiting five villages on the Tennessee river, have long been in the practice of committing depredations on the neighboring settlements.

It was hoped that the treaty of Holston, made with the Cherokee nation in July, 1791, would have prevented a repetition of such depredations. But the event has not answered this hope. The Chickamagas, aided by some banditti of another tribe in their vicinity, have recently perpetrated wanton and unprovoked hostilities upon the citizens of the United States in that quarter. The information which has been received on this subject will be laid before you. Hitherto, defensive precautions only have been strictly enjoined and observed.

It is not understood that any breach of treaty or any aggression whatsoever on the part of the United States or their citizens, is even alleged as a pretext for the spirit of hostility in this quarter.

I have reason to believe that every practical exertion has been made, pursuant to the provision by law for that purpose, to be prepared for the alternative of a prosecution of the war in the event of a failure of pacific overtures. A large proportion of the troops authorized to be raised have been recruited, though the number is still incomplete, and pains have been taken to discipline and put them in condition for the particular kind of service to be performed. A delay of operations, besides being dictated by the measures which were pursuing toward a pacific termination of the war, has been in itself deemed preferable to immature efforts. A statement from the proper department with regard to the number of troops raised, and some other points which have been suggested, will afford more precise information as a guide to the legislative consultations, and among other things, will enable Congress to judge whether some additional stimulus to the recruiting service may not be advisable.

In looking forward to the future expense of the operations which may be found inevitable, I derive consolation from the information I receive that the product of the revenues for the present year is likely to supersede the necessity of additional burdens on the community for the service of the ensuing year. This, however, will be better ascertained in the course of the session; and it is proper to add, that the information alluded to proceeds upon the supposition of no material extension of the spirit of hos-

tility

I can not dismiss the subject of Indian affairs without again recommending to your consideration the expediency of more adequate provision for giving energy to the laws throughout our interior frontier, and for restraining the commission of outrages upon the Indians, without which all pacific plans must prove nugatory. To enable, by competent rewards, the employment of qualified and trusty persons to reside among them as agents, would also contribute to the preservation of peace and good neighborhood. If, in addition to these expedients, an eligible plan could be devised for promoting civilization among the friendly tribes, and for carrying on trade with them upon a scale equal to their wants and under regulations calculated to protect them from imposition and extortion, its influence in cementing their interests with ours could not but be considerable.

The prosperous state of our revenue has been intimated. This would be still more the case were it not for the impediments which in some places continue to embarrass the collection of the duties on spirits distilled within the United States. These impediments have lessened, and are lessening in local extent; and, as applied to the community at large, the

contentment with the law appears to be progressive.

But symptoms of increased opposition having lately manifested themselves in certain quarters, I judged a special interposition on my part proper and advisable; and under this impression, have issued a proclamation warning against all unlawful combinations and proceedings having for their object or tending to obstruct the operation of the law in question, and announcing that all lawful ways and means would be strictly put in

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our citizens on the territory of other nations, and other infractions of the law of nations, which, furnishing just subject of complaint, might endanger our peace with them. And, in general, the maintenance of a friendly intercourse with foreign powers will be presented to your attention by the expiration of the law for that purpose, which takes place, if not renewed, at the close of the present session.

In execution of the authority given by the legislature, measures have been taken for engaging some artists from abroad to aid in the establishment of our mint. Others have been employed at home. Provisions have been made of the requisite buildings, and these are now putting into proper condition for the purposes of the establishment. There has also been a small beginning in the coinage of half-dimes, the want of small coins in circulation calling the first attention to them.

The regulation of foreign coins, in correspondence with the principles of our national coinage, as being essential to their due operation and to order in our money concerns, will, I doubt not, be resumed and completed.

It is represented that some provisions of the law which establishes the postoffice operate, in experiment, against the transmission of newspapers to distant parts of the country. Should this, upon due inquiry, be found to be the fact, a full conviction of the importance of facilitating the circulation of political intelligence and information will, I doubt not, lead to the application of a remedy.

The adoption of a constitution for the state of Kentucky has been notified to me. The legislature will share with me in the satisfaction which arises from an event interesting to the happiness of the part of the nation to which it relates, and conducive to the general order.

It is proper likewise to inform you that, since my last communication on the subject, and in further execution of the acts severally making provision for the public debt and for the reduction thereof, three new loans have been effected, each for three millions of florins—one at Antwerp, at the annual interest of four and one half per cent. with an allowance of four per cent. in lieu of all charges; and the other two at Amsterdam, at the annual interest of four per cent. with an allowance of five and one half per cent. in one case, and of five per cent. in the other, in lieu of all charges. The rates of these loans, and the circumstances under which they have been made, are confirmations of the high state of our credit abroad.

Among the objects to which these funds have been directed to be applied, the payment of the debts due to certain foreign officers, according to the provision made during the last session, has been embraced.

## Gentlemen of the House of Representatives :-

I entertain a strong hope that the state of the national finances is now sufficiently matured to enable you to enter upon a systematic and effectual arrangement for the regular redemption and discharge of the public debt, according to the right which has been reserved to the government. No measure can be more desirable, whether viewed with an eye to its intrinsic importance, or to the general sentiment and wish of the nation.

Provision is likewise requisite for the reimbursement of the loan which has been made of the bank of the United States, pursuant to the eleventh section of the act by which it is incorporated. In fulfilling the public stipulations in this particular, it is expected a valuable saving will be made.

Appropriations for the current service of the ensuing year, and for such

in some and durable advantages to our constituents; such as, the more and more their ultimate suffrage, will tend to strengthe from their attachment to that constitution of government upon the divine Providence, materially depend their union, the ad their happiness.

arther to promote and secure these inestimable ends, there which can have a more powerful tendency than the careful cult harmony, combined with a due regard to stability, in the publ

# PROCLAMATION.

APRIL 22, 1793.

EAS, it appears that a state of war exists between Austria, Pruinia, Great Britain, and the United Netherlands, on the one parce on the other, and the duty and interests of the United State at they should with sincerity and good faith adopt and pursue riendly and impartial toward the belligerent powers:

therefore thought fit, by these presents, to declare the disposition and States to observe the conduct aforesaid toward those powerely, and to exhort and to warn the citizens of the United State to avoid all acts and proceedings whatsoever which may in an

end to contravene such disposition.

do hereby also make known that whosoever of the citizens of d States shall render himself liable to punishment or forfeiture law of nations, by committing, aiding, or abetting hostilitienty of the said powers, or by carrying to any of them those art in are deemed contraband by the modern usage of nations, with the protection of the United States against such punishment in the belongs to cause prosecutions to be instituted against all per shall, within the cognizance of the courts of the United States allows of nations with respect to the powers at war or any of them

# FIFTH ANNUAL ADDRESS.

## **DECEMBER 3, 1793.**

# Fellow-Citizens of the Senate and of the House of Representatives :-

Since the commencement of the term for which I have been again called into office, no fit occasion has arisen for expressing to my fellow-citizens at large the deep and respectful sense which I feel of the renewed testimony of public approbation. While, on the one hand, it awakened my gratitude for all those instances of affectionate partiality with which I have been honored by my country, on the other, it could not prevent an earnest wish for that retirement from which which no private consideration should ever have torn me. But, influenced by the belief that my conduct would be estimated according to its real motives, and that the people, and the authorities derived from them, would support exertions having nothing personal for their object, I have obeyed the suffrage which commanded me to resume the executive power; and I humbly implore that Being on whose will the fate of nations depends, to crown with success our mutual endeavors for the general happiness.

As soon as the war in Europe had embraced those powers with whom the United States have the most extensive relations, there was reason to apprehend that our intercourse with them might be interrupted, and our disposition for peace drawn into question by the suspicions too often entertained by belligerent nations. It seemed, therefore, to be my duty to admonish our citizens of the consequences of a contraband trade and of hostile acts to any of the parties, and to obtain, by a declaration of the existing legal state of things, an easier admission of our right to the immunities belonging to our situation. Under these impressions, the proclamation which will be laid before you was issued.

In this posture of affairs, both new and delicate, I resolved to adopt general rules which should conform to the treaties and assert the privileges of the United States. These were reduced into a system, which will be communicated to you. Although I have not thought myself at liberty to forbid the sale of the prizes permitted by our treaty of commerce with France to be brought into our ports, I have not refused to cause them to be restored when they were taken within the protection of our territory, or by vessels commissioned or equipped in a warlike form within the limits of the United States.

It rests with the wisdom of Congress to correct, improve, or enforce this plan of procedure; and it will probably be found expedient to extend the legal code and the jurisdiction of the courts of the United States to many cases which, though dependent on principles already recognised, demand some further provisions.

Where individuals shall, within the United States, array themselves in hostility against any of the powers at war, or enter upon military expeditions or enterprises within the jurisdiction of the United States, or usurp and exercise judicial authority within the United States, or where the penalties on violations of the law of nations may have been indistinctly marked, or are inadequate, these offences can not receive too early and close an attention, and require prompt and decisive remedies.

Whatsoever those remedies will be, they will be well administered by

can not recommend to your notice measures for the fulfilme s to the rest of the world without again pressing upon you t of placing ourselves in a condition of complete defence, and from them the fulfilment of their duties toward us. s ought not to indulge a persuasion that, contrary to the order events, they will for ever keep at a distance those painful a with which the history of every other nation abounds. due to the United States among nations which will be wit absolutely lost, by the reputation of weakness. If we desire t, we must be able to repel it. If we desire to secure of the most powerful instruments of our rising prosperity, it on that we are at all times ready for war. The document be presented to you will show the amount and kinds of arms stores now in our magazines and arsenals; and yet an addit ese supplies can not, with prudence, be neglected, as it wor ng to the uncertainty of procuring a warlike apparatus in the blic danger.

or can such arrangements, with such objects, be exposed to or jealousy of the warmest friends of republican government. acapable of abuse in the hands of the militia, who ought to de in being the depository of the force of the republic, and d to a degree of energy equal to every military exigency of t tates. But it is an inquiry which can not be too solemnly ner the act "more effectually to provide for the national def lishing a uniform militia throughout the United States," has hem so as to produce their full effect; whether your own in the several states has not detected some imperfections ne; and whether a material feature in an improvement of be to afford an opportunity for the study of those branches ry art which can scarcely ever be attained by practice alone. e connexion of the United States with Europe has become ex sting. The occurrences which relate to it and have passed nowledge of the Executive, will be exhibited to Congress in a communication.

en we contemplate the war on our frontiers, it may be truly :

of military preparation, it is doubtful how far the advance of the season, before good faith justified active movements, may retard them during the remainder of the year. From the papers and intelligence which relate to this important subject, you will determine whether the deficiency in the number of troops granted by law shall be compensated by succors of militia or whether additional encouragements shall be proposed to recruits.

An anxiety has been also demonstrated by the executive for peace with the Creeks and the Cherokees. The former have been relieved with corn and with clothing, and offensive measures against them prohibited during the recess of Congress. To satisfy the complaints of the latter, prosecutions have been instituted for the violences committed upon them. the papers which will be delivered to you disclose the critical footing on which we stand in regard to both those tribes; and it is with Congress to

pronounce what shall be done.

After they shall have provided for the present emergency, it will merit their most serious labors to render tranquillity with the savages permanent by creating ties of interest. Next to a rigorous execution of justice on the violators of peace, the establishment of commerce with the Indian nations, on behalf of the United States, is most likely to conciliate their attachment. But it ought to be conducted without fraud, without extortion, with constant and plentiful supplies; with a ready market for the commodities of the Indians, and a stated price for what they give in payment and receive in exchange. Individuals will not pursue such a traffic, unless they be allured by the hope of profit; but it will be enough for the United States to be reimbursed only. Should this recommendation accord with the opinion of Congress, they will recollect that it can not be accomplished by any means yet in the hands of the Executive.

# Gentlemen of the House of Representatives :-

The commissioners charged with the settlement of accounts between the United States and individual states, concluded their important functions within the time limited by law; and the balances struck in their report, which will be laid before Congress, have been placed on the books of the treasury.

On the first day of June last, an instalment of one million of florins became payable on the loans of the United States in Holland. This was adjusted by a prolongation of the period of reimbursement, in the nature of a new loan, at an interest of five per cent., for the term of ten years; and the expenses of this operation were a commission of three per cent.

The first instalment of the loan of two millions of dollars from the bank of the United States has been paid, as was directed by law. For the

second, it is necessary that provision should be made.

No pecuniary consideration is more urgent than the regular redemption and discharge of the public debt. On none can delay be more injurious,

or an economy of time more valuable.

The productiveness of the public revenues hitherto, has continued to equal the anticipations which were formed of it; but it is not expected to prove commensurate with all the objects which have been suggested. Some auxiliary provisions will, therefore, it is presumed, be requisite; and it is hoped that these may be made consistently with a due regard to the convenience of our citizens, who can not but be sensible of the true wisdom of encountering a small present addition to their contributions, to obviate a future accumulation of burdens.

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r deliberations and involve some of the choicest interests of in country. Permit me to bring to your remembrance the mat your task. Without an unprejudiced coolness, the welfare of ament may be hazarded; without harmony, as far as consists a mof sentiment, its dignity may be lost. But, as the legislative igs of the United States will never, I trust, be reproached for of temper or of candor, so shall not the public happiness langue; want of my strenuous and warmest co-operation.

## SPECIAL MESSAGE.

DECEMBER 5, 1793.

# men of the Senate and House of Representatives :-

he present situation of the several nations of Europe, and es of those with which the United States have important relation t but render the state of things between them and us matter of ng inquiry to the legislature, and may indeed give rise to delibe o which they alone are competent. I have thought it my duty micate to them certain correspondences which have taken place representative and executive bodies of France have manifes lly a friendly attachment to this country, have given advantages mmerce and navigation, and have made overtures for placing th ages on permanent ground. A decree, however, of the natio ply, subjecting vessels laden with provisions to be carried into the and making enemy goods lawful prize in the vessels of a friend, c our treaty, though revoked at one time as to the United Stat en since extended to their vessels also, as has been recently sta Representations on this subject will be immediately given to our minister there, and the result shall be communicated to

with extreme concern I have to inform you that the proceeding

teracted by the ordinary cognizance of the laws, and by an exertion of the powers confided to me. Where their danger was not imminent, they have been borne with from sentiments of regard to his nation, from a sense of their friendship toward us, from a conviction that they would not suffer us to remain long exposed to the action of a person who has so little respected our mutual dispositions, and from a reliance on the firmness of my fellow-citizens in their principles of peace and order. In the meantime. I have respected and pursued the stipulations of our treaties, according to what I judged their true sense, and have withheld no act of friendship which their affairs have called for from us, and which justice to others left us free to perform. I have gone further. Rather than employ force for the restitution of certain vessels which I deemed the United States bound to restore, I thought it more advisable to satisfy the parties by avowing it to be my opinion that, if restitution were not made. it would be incumbent on the United States to make compensation. The papers now communicated will more particularly apprize you of these transactions.

The verations and spoliations understood to have been committed on our vessels and commerce by the cruisers and officers of some of the belligerent powers, appeared to require attention. The proofs of these, however, not having been brought forward, the description of citizens supposed to have suffered were notified that, on furnishing them to the executive, due measures would be taken to obtain redress of the past and more effectual provisions against the future. Should such documents be furnished, proper representations will be made thereon, with a just reliance on a redress proportioned to the exigency of the case.

The British government having undertaken, by orders to the commanders of their armed vessels, to restrain generally our commerce in corn and other provisions to their own ports and those of their friends, the instructions now communicated were immediately forwarded to our minister at that court. In the meantime, some discussions on the subject took place between him and them. These are also laid before you, and I may expect to learn the result of his special instructions in time to make it known to the legislature during their present session.

Very early after the arrival of a British minister here, mutual explanations on the inexecution of the treaty of peace were entered into with that minister. These are now laid before you for your information.

On the subject of mutual interest between this country and Spain, negotiations and conferences are now depending. The public good requiring that the present state of these should be made known to the legislature in confidence only, they shall be the subject of a separate and subsequent communication.

#### PROCLAMATION.

# AUGUST 7, 1794.

Whereas, combinations to defeat the execution of the laws laying duties upon spirits distilled within the United States and upon stills have, from the time of the commencement of those laws, existed in some of the western parts of Pennsylvania: and whereas, the said combinations, pre-

ceeding in a manner subversive equally of the just authority of government and of the rights of individuals, have hitherto effected their dangerous and criminal purpose by the influence of certain irregular meetings whose proceedings have tended to encourage and uphold the spirit of opposition by misrepresentations of the laws calculated to render them odious: by endeavors to deter those who might be so disposed from accepting offices under them through fear of public resentments and of injury to person and property, and to compel those who had accepted such offices by actual violence to surrender or forbear the execution of them; by circulating vindictive measures against all who should otherwise, directly or indirectly, aid in the execution of the said laws, or who, yielding to the dictates of conscience and to a sense of obligation, should themselves comply therewith; by actually injuring and destroying the property of persons who were understood to have so complied; by inflicting cruel, humiliating punishments upon private citizens for no other cause than that of appearing to be the friends of the laws; by interrupting the public officers on the highways, abusing, assaulting, and otherwise ill treating them; by going to their houses in the night, gaining admittance by force, taking away their papers, and committing other outrages; employing for these unwarrantable purposes the agency of armed banditti, disguised in such a manner as for the most part to escape discovery: and whereas, the endeavors of the legislature to obviate objections to the said laws, by lowering the duties and by other alterations conducive to the convenience of those whom they immediately affected (though they have given satisfaction in other quarters), and the endeavors of the executive officers to conciliate a compliance with the laws, by expostulation, by forbearance, and even by recommendations founded on the suggestion of local considerations, have been disappointed of their effect by the machinations of persons whose industry to excite resistance has increased with the annear-

entitled, "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions," it is enacted. "that whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any state by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by that act, the same being notified by an associate justice or the district judges, it shall be lawful for the president of the United States to call forth the militia of said state to suppress such combinations, and to cause the laws to be duly executed. And if the militia of a state where such combinations may happen, shall refuse or shall be insufficient to suppress the same, it shall be lawful for the president, if the legislature of the United States shall not be in session, to call forth and employ such numbers of the militia of any other state or states most convenient thereto as may be necessary; and the use of the militia so to be called forth may be continued, if necessary, until the expiration of thirty days after the commencement of the ensuing session; Provided always, that whenever it may be necessary in the judgment of the president to use the military force hereby directed to be called forth, the president shall forthwith, and previous thereto, by proclamation, command such insurgents to disperse, and retire peaceably to their respective abodes within a limited time:" and whereas, James Wilson, an associate justice, on the fourth instant, by writing under his hand, did, from evidence which had been laid before him, notify to me that "in the counties of Washington and Allegany, in Pennsylvania, the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshal of that district:"

And whereas, it is in my judgment necessary, under the circumstances of the case, to take measures for calling forth the militia in order to suppress the combination aforesaid, and to cause the laws to be duly executed; and I have accordingly determined so to do, feeling the deepest regret for the occasion, but withal the most solemn conviction that the essential interests of the Union demand it, that the very existence of government and the fundamental principles of social order are materially involved in the issue, and that the patriotism and firmness of all good citizens are seriously called upon as occasion may require, to aid in the effectual suppression of so fatal a spirit:

Wherefore, and in pursuance of the provision above recited, I, George Washington, president of the United States, do hereby command all persons, being insurgents as aforesaid, and all others whom it may concern, on or before the first day of September next, to disperse and return peaceably to their respective abodes. And I do moreover warn all persons whomseever against aiding, abetting, or comforting, the perpetrators of the aforesaid treasonable acts; and do require all officers, and other citizens, according to their respective duties and the law of the land, to exert their utmost endeavors to prevent and suppress such dangerous proceedings.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the seventh day of August, one thousand seven hundred and ninety-four, and of the independence of the United States of America the nineteenth.

GEORGE WASHINGTON.

# PROCLAMATION.

SEPTEMBER 25, 1794.

WHEREAS, from a hope that the combination against the constitution and laws of the United States in certain of the western counties of Pennsylvania, would yield to time and reflection, I thought it sufficient in the first instance rather to take measures for calling forth the militia than immediately to embody them; but the moment is now come when the overtures of forgiveness, with no other condition than a submission to law. have been only partially accepted; when every form of conciliation not inconsistent with the being of government has been adopted without effect; when the well-disposed in those counties are unable by their influence and example to reclaim the wicked from their fury, and are compelled to associate in their own defence; when the proffered lenity has been perversely misinterpreted into an apprehension that the citizens will march with reluctance; when the opportunity of examining the serious consequences of a treasonable opposition has been employed in propagating principles of anarchy, endeavoring through emissaries to alienate the friends of order from its support, and inviting its enemies to perpetrate similar acts of insurrection; when it is manifest that violence would continue to be exercised upon every attempt to enforce the laws; when, therefore, government is set at defiance, the contest being whether a small portion of the United States shall dictate to the whole Union, and, at the expense of those who desire peace, indulge a desperate ambition :

Now, therefore, I, George Washington, president of the United States, in obedience to that high and irresistible duty consigned to me by the con-

fect freedom, after solemn deliberation, and in an enlightened age, to elect their own government, so will their gratitude for this inestimable blessing be best distinguished by firm exertion to maintain the constitution and the laws.

And Iastly, I again warn all persons whomsoever and wheresoever, not to abet, aid, or comfort, the insurgents aforesaid, as they will answer the contrary at their peril; and I do also require all officers and other citizens, as far as may be in their power, to bring under the cognizance of the laws all offenders in the premises.

In testimony whereof, I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twenty-fifth day of September, one thousand seven hundred and ninety-four, and of the independence of the United States of America the nineteenth.

GEORGE WASHINGTON.

# SIXTH ANNUAL ADDRESS.

November 19, 1794.

Fellow-Citizens of the Senate and House of Representatives :-

When we call to mind the gracious indulgence of Heaven, by which the American people became a nation; when we survey the general prosperity of our country, and look forward to the riches, power, and happiness, to which it seems destined; with the deepest regret do I announce to you that, during your recess, some of the citizens of the United States have been found capable of an insurrection. It is due, however, to the character of our government, and to its stability, which can not be shaken by the enemies of order, freely to unfold the course of this event.

During the session of the year one thousand seven hundred and ninety, it was expedient to exercise the legislative power, granted by the constitution of the United States, "to lay and collect excises." In a majority of the states, scarcely an objection was made to this mode of taxation. In some, indeed, alarms were at first conceived, until they were banished by reason and patriotism. In the four western counties of Pennsylvania, a prejudice, fostered and embittered by the artifice of men who labored for an ascendency over the will of others by the guidance of their passions, produced symptoms of riot and violence. It is well known that Congress did not hesitate to examine the complaints which were presented, and to relieve them as far as justice dictated or general convenience would permit. But the impression which this moderation made on the discontented did not correspond with what it deserved. The arts of delusion were no longer confined to the efforts of designing individuals. The very forbearance to press prosecution was misinterpreted into a fear of urging the execution of the laws, and associations of men began to denounce threats against the officers employed. From a belief that by a more formal concert their operation might be defeated, certain self-created societies assumed the tone of condemnation. Hence, while the greater part of Pennsylvania itself were conforming themselves to the acts of excise, a few counties were resolved to frustrate them. It was now perto him to demand a surrender of that which he had served. ous body repeatedly attacked the house of the inspector, seize rs of office, and finally destroyed by fire his buildings and whatse contained. Both of these officers, from a just regard to their sa the seat of government, it being avowed that the motives to ges were to compel the resignation of the inspector, to withstar of arms the authority of the United States, and thereby extort of the laws of excise and an alteration in the conduct of government oon the testimony of these facts, an associate justice of the sup of the United States notified to me that, " in the counties of W n and Allegany, in Pennsylvania, laws of the United States sed, and the execution thereof obstructed, by combinations too po be suppressed by the ordinary course of judicial proceedings, owers vested in the marshal of that district." On this call, more n the extreme, I sought and weighed what might best subdu-On the one hand, the judiciary was pronounced to be strippe pacity to enforce the laws; crimes which reached the very exist cial order were perpetrated without control; the friends of government were insulted, abused, and overawed into silence, or an appr escence; and, to vield to the treasonable fury of so small a po e United States would be to violate the fundamental principle of itution, which enjoins that the will of the majority shall prevail. ther, to array citizen against citizen, to publish the dishonor of sses, to encounter the expense and other embarrassments of so di pedition, were steps too delicate, too closely interwoven with n ing considerations, to be lightly adopted. I postponed, therefore ioning of the militia immediately into the field; but I required held in readiness, that if my anxious endeavors to reclaim the and to convince the malignant of their danger should be fruit ry force might be prepared to act, before the season should be vanced.

proclamation of the 7th of August last, was accordingly issued, apanied by the appointment of commissioners, who were charge to the scene of insurrection. They were authorized to condides of men or individuals. They were instructed to be cannot

Although the report of the commissioners marks their firmness and abilities, and must unite all virtuous men, by showing that the means of conciliation have been exhausted, all of those who had committed or abetted the tumults did not subscribe the mild form which was proposed as the atonement, the indications of a peaceable temper were neither sufficiently general nor conclusive to recommend or warrant the farther suspension of the march of the militia.

Thus the painful alternative could not be discarded. I ordered the militia to march, after once more admonishing the insurgents, in my pro-

clamation on the 25th of September last.

It was a task too difficult to ascertain with precision, the lowest degree of force competent to the quelling of the insurrection. From a respect, indeed, to economy, and the ease of my fellow-citizens belonging to the militia, it would have gratified me to accomplish such an estimate. My very reluctance to ascribe too much importance to the opposition, had its extent been accurately seen, would have been a decided inducement to the smallest efficient numbers. In this uncertainty, therefore, I put into motion fifteen thousand men, as being an army which, according to all human calculation, would be prompt and adequate in every view, and might, perhaps, by rendering resistance desperate, prevent the effusion of blood. Quotas had been assigned to the states of New Jersey, Pennsylvania, Maryland, and Virginia; the governor of Pennsylvania having declared, on this occasion, an opinion which justified a requisition to the other states.

As commander-in-chief of the militia when called into the actual service of the United States, I have visited the places of general rendezvous to obtain more exact information, and to direct a plan for ulterior movements. Had there been room for a persuasion that the laws were secure from obstruction; that the civil magistrate was able to bring to justice such of the most culpable as have not embraced the proffered terms of amnesty, and may be deemed fit objects of example; that the friends to peace and good government were not in need of that aid and countenance which they ought always to receive, and, I trust, ever will receive, against the vicious and turbulent; I should have caught with avidity the opportunity of restoring the militia to their families and homes. But succeeding intelligence has tended to manifest the necessity of what has been done, it being now confessed by those who were not inclined to exaggerate the ill conduct of the insurgents, that their malevolence was not pointed merely to a particular law, but that a spirit inimical to all order has actuated many of the offenders. If the state of things had afforded reason for the continuance of my presence with the army, it would not have been withholden. But every appearance assuring such an issue as will redound to the reputation and strength of the United States, I have judged it most proper to resume my duties at the seat of government, leaving the chief command with the governor of Virginia.

Still, however, as it is probable that, in a commotion like the present, whatsoever may be the pretence, the purposes of mischief and revenge may not be laid aside, the stationing of a small force, for a certain period, in the four western counties of Pennsylvania will be indispensable, whether we contemplate the situation of those who are connected with the execution of the laws, or of others who may have exposed themselves by an honorable attachment to them. Thirty days from the commencement of this session being the legal limitation of the employment of the militia, Congress can not be too early occupied with this subject.

government would be amply repaid by the influence of an exhibit who incurs a loss in its defence, shall find a recompense relative.

Vhile there is cause to lament that occurrences of this nature: e disgraced the name or interrupted the tranquillity of any part munity, or should have diverted to a new application any por public resources, there are not wanting real and substantial co s for the misfortune. It has demonstrated that our prosperity solid foundations, by furnishing an additional proof that my f zens understand the true principles of government and liberty feel their inseparable union; that, notwithstanding all the de ch have been used to sway them from their interest and duty, th as ready to maintain the authority of the laws against licentious s, as they were to defend their rights against usurpation. It has ectacle displaying to the highest advantage the value of repu rmment, to behold the most and the least wealthy of our ci ding in the same ranks as private soldiers, pre-eminently disting y being the army of the constitution—undeterred by a march of ired miles ever rugged mountains, by the approach of an inclon, or by any other discouragement. Nor ought I to omit to ack the efficacious and patriotic co-operations which I have experi the chief magistrates of the states to which my requisitions ı addressed.

o every description of citizens, indeed, let praise be given. En persevere in their affectionate vigilance over that precious deponentian happiness, the constitution of the United States. Let ish it, too, for the sake of those who, from every clime, are daily a dwelling in our land. And when, in the calm moments of refle shall have traced the origin and progress of the insurrection, let mine whether it has not been fomented by combinations of men, less of consequences, and disregarding the unerring truth that rouse can not always appease a civil convulsion, have disseminan ignorance or perversion of facts, suspicions, jealousies, and ns of the whole government.

aving thus fulfilled the engagement which I took, when I entered

pense and waste, which are not the least of the defects, every appeal to those laws is attended with a doubt on its success.

The devising and establishing of a well-regulated militia, would be a genuine source of legislative honor, and a perfect title to public gratitude. I therefore entertain a hope that the present session will not pass without carrying to its full energy the power of organizing, arming, and disciplining the militia; and thus providing, in the language of the constitution, for calling them forth to execute the laws of the Union, suppress insurrections, and repel invasions.

As auxiliary to the state of our defence, to which Congress can never too frequently recur, they will not omit to inquire whether the fortifications which have been already licensed by law be commensurate with our existence.

The intelligence from the army under the command of General Wayne is a happy presage to our military operations against the hostile Indians north of the Ohio. From the advices which have been forwarded, the advance which he has made must have damped the ardor of the savages, and weakened their obstinacy in waging war against the United States. And yet, even at this late hour, when our power to punish them can not be questioned, we shall not be unwilling to cement a lasting peace upon terms of candor, equity, and good neighborhood.

Toward none of the Indian tribes have overtures of friendship been spared. The Creeks, in particular, are covered from encroachment by the interposition of the general government and that of Georgia. From a desire, also, to remove the discontent of the Six Nations, a settlement meditated at Presqu' isle, on Lake Erie, has been suspended, and an agent is now endeavoring to rectify any misconception into which they may have fallen. But I can not refrain from again pressing upon your deliberations the plan which I recommended at the last session for the improvement of harmony with all the Indians within our limits, by the fixing and conducting of the trading houses upon the principles then expressed.

## Gentlemen of the House of Representatives :-

The time which has elapsed since the commencement of our fiscal measures, has developed our pecuniary resources so as to open the way for a definitive plan for the redemption of the public debt. It is believed that the result is such as to encourage Congress to consummate this work without delay. Nothing can more promote the permanent welfare of the nation, and nothing would be more grateful to our constituents. Indeed, whatever is unfinished of our system of public credit, can not be benefited by procrastination; and, as far as may be practicable, we ought to place that credit on grounds which can not be disturbed, and to prevent that progressive accumulation of debt which must ultimately endanger all governments.

An estimate of the necessary appropriations, including the expenditures into which we have been driven by the insurrection, will be submitted to Congress.

#### Gentlemen of the Senate and House of Representatives:

The mint of the United States has entered upon the coinage of the precious metals, and considerable sums of defective coins and bullion have been lodged with the director by individuals. There is a pleasing prospect that the institution will, at no remote day, realize the expectation which was originally formed of its utility.

is of the wicked to the confirming of our constitution; to enable times to root out internal sedition and put invasion to flight; note to our country that prosperity which his goodness has a ferred, and to verify the anticipations of this government being; rd to human rights.

# SEVENTH ANNUAL ADDRESS.

DECEMBER 8, 1795.

low-Citizens of the Senate and House of Representatives:—
TRUST I do not deceive myself while I indulge the persuasion
e never met you at any period when, more than at the prese
ation of our public affairs has afforded just cause for mutual cor
m, and for inviting you to join with me in profound gratitude
hor of all good for the numerous and extraordinary blessing
by.

he termination of the long, expensive, and distressing war in have been engaged with certain Indians northwest of the Ohio, is he option of the United States by a treaty which the commander y has concluded provisionally with the hostile tribes in that regin the adjustment of the terms, the satisfaction of the Indian med an object worthy no less of the policy than of the liberality ted States as the necessary basis of durable tranquillity. The believed, has been fully attained. The articles agreed upon we list the laid before the secret for their consideration.

liately be laid before the senate for their consideration.

The Creek and Cherokee Indians, who alone of the southern annoyed our frontiers, have lately confirmed their pre-existing to us, and were giving evidence of a sincere disposition to carry effect by the surrender of the prisoners and property they had we have to lament that the aid and prospect in this quarter has more clouded by wanton murders, which some citizens of G

of our treaty made with his father the late emperor, and consequently the continuance of peace with that power. With peculiar satisfaction, I add, that information has been received from an agent deputed on our part to Algiers, importing that the terms of a treaty with the dey and regency of that country had been adjusted in such a manner as to authorize the expectation of a speedy peace and the restoration of our unfortunate fellow-citizens from a grievous captivity.

The latest advices from our envoy at the court of Madrid give, moreover, the pleasing information that he had received assurances of a speedy and satisfactory conclusion of his negotiation. While the event depending upon unadjusted particulars, can not be regarded as ascertained, it is agreeable to cherish the expectation of an issue which, securing amicably very essential interests of the United States, will at the same time lay the foundation of lasting harmony with a power whose friendship we have

uniformly and sincerely desired to cultivate.

Though not before officially disclosed to the house of representatives, you, gentlemen, are all apprized that a treaty of amity, commerce, and navigation, has been negotiated with Great Britain, and that the senate have advised and consented to its ratification upon a condition which excepts part of one article. Agreeably thereto, and to the best judgment I was able to form of the public interest, after full and mature deliberation, I have added my sanction. The result on the part of his Britannic majesty is unknown. When received, the subject will without delay be placed before

Congress

This interesting summary of our affairs with regard to foreign powers, between whom and the United States controversies have subsisted, and with regard also to those of our Indian neighbors with whom we have been in a state of enmity or misunderstanding, opens a wide field for consoling and gratifying reflections. If, by prudence and moderation on every side, the extinguishment of all the causes of external discord which have heretofore menaced our tranquillity, on terms compatible with our national rights and honor, shall be the happy result, how firm and how precious a foundation will have been laid for accelerating, maturing, and establishing, the prosperity of our country.

Contemplating the internal situation as well as the external relations of the United States, we discover equal cause for contentment and satisfaction. While many of the nations of Europe, with their American dependencies, have been involved in a contest unusually bloody, exhausting, and calamitous, in which the evils of foreign war have been aggravated by domestic convulsion and insurrection; in which many of the arts most useful to society have been exposed to discouragement and decay; in which scarcity of subsistence has imbittered other sufferings; while even the anticipations of a return of the blessings of peace and repose are alloved by the sense of heavy and accumulating burdens, which press upon all the departments of industry, and threaten to clog the future springs of government, our favored country, happy in a striking contrast, has enjoyed general tranquillity—a tranquillity the more satisfactory because maintained at the expense of no duty. Faithful to ourselves, we have violated no obligation to others. Our agriculture, commerce, and manufactures, prosper beyond example, the molestations of our trade (to prevent a continuance of which, however, very pointed remonstrances have been made) being overbalanced by the aggregate benefits which derives from a neutral position. Our population advances with a celerity which, exceeding the most sanguine calculations, proportionally augments our strength and resources, and guaranties our future security. Every part of the Union displays indications of rapid and various improvement; and with burdens so light as scarcely to be perceived, with resources fully adequate to our present exigencies, with governments founded on the genuine principles of rational liberty, and with mild and wholesome laws, is it too much to say that our country exhibits a spectacle of national happiness never surpassed, if ever before equalled?

Placed in a situation every way so auspicious, motives of commanding force impel us, with sincere acknowledgment to Heaven and pure love to our country, to unite our efforts to preserve, prolong, and improve, our immense advantages. To co-operate with you in this desirable work is a

fervent and favorite wish of my heart.

It is a valuable ingredient in the general estimate of our welfare, that the part of our country which was lately the scene of disorder and insurrection now enjoys the blessings of quiet and order. The misled have abandoned their errors, and pay the respect to our constitution and laws which is due from good citizens to the public authorities of society. These circumstances have induced me to pardon generally the offenders here referred to, and to extend forgiveness to those who had been adjudged to capital punishment. For though I shall always think it a sacred duty to exercise with firmness and energy the constitutional powers with which I am vested, yet it appears to me no less consistent with the public good than it is with my personal feelings, to mingle, in the operations of government, every degree of moderation and tenderness which the national justice, dignity, and safety, may permit.

#### Gentlemen :-

Among the objects which will claim your attention in the course of the

that, unless the murdering of Indians can be restrained by bringing the murderers to condign punishment, all the exertions of the government to prevent destructive retaliations by the Indians will prove fruitless, and all our present agreeable prospects illusory. The frequent destruction of innocent women and children, who are chiefly the victims of retaliation, must continue to shock humanity, and to be an enormous expense to drain

the treasury of the Union.

To enforce upon the Indians the observance of justice, it is indispensable that there shall be competent means of rendering justice to them. If these means can be devised by the wisdom of Congress, and especially if there can be added an adequate provision for supplying the necessities of the Indians on reasonable terms (a measure the mention of which I the more readily repeat, as in all the conferences with them they urge it with solicitude), I should not hesitate to entertain a strong hope of rendering our tranquility permanent. I add, with pleasure, that the probability even of their civilization is not diminished by the experiments which have been thus far made under the auspices of government. The on our national character, and administer the most grateful consolations that virtuous minds can know.

# Gentlemen of the House of Representatives :-

The state of our revenue, with the sums which have been borrowed and reimbursed pursuant to different acts of Congress, will be submitted from the proper department, together with an estimate of the appropria-

tions necessary to be made for the service of the coming year.

Whether measures may not be advisable to reinforce the provision for the redemption of the public debt, will naturally engage your examination. Congress have demonstrated their sense to be, and it were superfluous to repeat mine, that whatsoever will tend to accelerate the honorable extinction of our public debt accords as much with the true interests of our country as with the general sense of our constituents.

# Gentlemen of the Senate and of the House of Representatives:

The statements which will be laid before you relative to the mint, will show the situation of that institution, and the necessity of some further legislative provisions for carrying the business of it more completely into effect, and for checking abuses which appear to be arising in particular quarters.

The progress in providing materials for the frigates, and in building them; the state of the fortifications of our harbors; the measures which have been pursued for obtaining proper sites for arsenals, and for replenishing our magazines with military stores; and the steps which have been taken toward the execution of the law for opening a trade with the Indians, will likewise be presented for the information of Congress.

Temperate discussion of the important subjects which may arise in the course of the session, and mutual forbearance where there is a difference of opinion, are too obvious and too necessary for the peace, happiness, and welfare of our country, to need any recommendation of mine

## EIGHTH ANNUAL ADDRESS.

## DECEMBER 7, 1796.

Fellow-Citizens of the Senate and of the House of Representatives :-

In recurring to the internal situation of our country since I had last the pleasure to address you, I find ample reason for a renewed expression of that gratitude to the Ruler of the universe which a continued series of prosperity has so often and so justly called forth.

The acts of the last session which required special arrangement, have been, as far as circumstances would admit, carried into operation.

Measures calculated to ensure a continuance of the friendship of the Indians and to preserve peace along the extent of our interior frontier, have been digested and adopted. In the framing of these care has been taken to guard on the one hand, our advanced settlements from the predatory incursions of those unruly individuals who can not be restrained by their tribes, and on the other hand, to protect the rights secured to the Indians by treaty; to draw them nearer to the civilized state, and inspire them with correct conceptions of the power, as well as justice, of the government.

The meeting of the deputies from the Creek nation at Colerain, in the state of Georgia, which had for a principal object the purchase of a parcel of their land by that state, broke up without its being accomplished, the nation having, previous to their departure, instructed them against making any sale. The occasion, however, has been improved to confirm, by a new treaty with the Creeks, their pre-existing engagements with the United States, and to obtain their consent to the establishment of trading-houses

missioners of his Britannic majesty in London, in August last, when John Trumbull, Esq., was chosen by lot for the fifth commissioner. In October following, the board were to proceed to business. As yet, there has been no communication of commissioners on the part of Great Britain to unite with those who had been appointed on the part of the United

States for carrying into effect the sixth article of the treaty.

The treaty with Spain required that the commissioners for running the boundary line between the territory of the United States and his catholic majesty's provinces of East and West Florida should meet at the Natchez before the expiration of six months after the exchange of the ratifications, which was effected at Aranjuez, on the 25th day of April; and the troops of his catholic majesty occupying any posts within the limits of the United States were, within the same period, to be withdrawn. The commissioner of the United States, therefore, commenced his journey for the relation in September, and troops were ordered to occupy the posts from which the Spanish garrisons should be withdrawn. Information has been recently received of the appointment of a commissioner on the part of his catholic majesty for running the boundary line; but none of any appointment for the adjustment of the claims of our citizens whose vessels were captured by the armed vessels of Spain.

In pursuance of the act of Congress, passed in the last session, for the protection and relief of American seamen, agents were appointed, one to reside in Great Britain and the other in the West Indies. The effects of the agency in the West Indies are not yet fully ascertained; but those which have been communicated afford grounds to believe the measure will be beneficial. The agent destined to reside in Great Britain declining to accept the appointment, the business has consequently devolved on the minister of the United States in London, and will command his attention

until a new agent shall be appointed.

After many delays and disappointments arising out of the European war, the final arrangements for fulfilling the engagements made to the dey and regency of Algiers will, in all present appearance, be crowned with success, but under great though inevitable disadvantages in the pecuniary transactions occasioned by that war, which will render further provision necessary. The actual liberation of all our citizens who were prisoners in Algiers, while it gratifies every feeling heart, is itself an earnest of a satisfactory termination of the whole negotiation. Measures, are in operation for effecting treaties with the regencies of Tunis and

Tripoli.

To an active external commerce, the protection of a naval force is indispensable. This is manifest with regard to wars in which a state itself is a party. But besides this, it is in our own experience that the most sincere neutrality is not a sufficient guard against the depredations of nations at war. To secure respect to a neutral flag requires a naval force, organized and ready to vindicate it from insult or aggression. This may prevent even the necessity of going to war, by discouraging belligerent powers from committing such violations of the rights of the neutral party as may, first or last, leave no other option. From the best information I have been able to obtain, it would seem as if our trade to the Mediterranean, without a protecting force, will always be insecure, and our citizens exposed to the calamities from which numbers of them have but just been relieved.

These considerations invite the United States to look to the means, and Vol. I.—5

to set about the gradual creation of a navy. The increasing progress of their navigation promises them, at no distant period, the requisite supply of seamen; and their means, in other respects, favor the undertaking. It is an encouragement, likewise, that their particular situation will give weight and influence to a moderate naval force in their hands. Will it not then be advisable to begin without delay to provide and lay up the materials for the building and equipping of ships-of-war, and to proceed in the work by degrees, in proportion as our resources shall render it practicable without inconvenience, so that a future war of Europe may not find our commerce in the same unprotected state in which it was found by

the present?

Congress have repeatedly, and not without success, directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible. As a general rule, manufactures on the public account are inexpedient; but where the state of things in a country leaves little hope that certain branches of manufacture will, for a great length of time, obtain, when these are of a nature essential to the furnishing and equipping of the public force in time of war, are not establishments for procuring them on public account, to the extent of the ordinary demand for the public service, recommended by strong considerations of national policy as an exception to the general rule? Ought our country to remain, in such cases, dependent on foreign supply, precarious because liable to be interrupted? If the necessary article should, in this mode, cost more in time of peace, will not the security and independence thence arising form an ample compensation? Establishments of this sort, commensurate only with the calls of the public service in time of peace, will, in time of war, easily be extended in proportion to the exigiencies

The desirableness of both these institutions has so constantly increased with every new view I have taken on the subject, that I can not omit the opportunity of once for all recalling your attention to them.

The assembly to which I address myself is too enlightened not to be fully sensible how much a flourishing state of the arts and sciences con-

tributes to national prosperity and reputation.

True it is that our country, much to its honor, contains many seminaries of learning highly respectable and useful; but the funds upon which they rest are too narrow to command the ablest professors in the different departments of liberal knowledge for the institution contemplated, though

they would be excellent auxiliaries.

Among the motives to such an institution, the assimilation of the principles, opinions, and manners of our countrymen, by the common education of a portion of our youth from every quarter, well deserves attention. The more homogenous our citizens can be made in these particulars, the greater will be our prospect of permanent union; and a primary object of such a national institution should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important? and what duty more pressing on its legislature than to patronise a plan for communicating it to those who are to be the future

guardians of the liberties of the country?

The institution of a military academy is also recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without an adequate stock of military knowledge for emergen-The first would impair the energy of its character, and both would hazard its safety or expose it to greater evils when war could not be avoided—besides, that war might often not depend upon its own choice. In proportion as the observance of pacific maxims might exempt a nation from the necessity of practising the rules of the military art, ought to be its care in preserving and transmitting, by proper establishments, the knowledge of that art. Whatever argument may be drawn from particular examples, superficially viewed, a thorough examination of the subject will evince that the art of war is at once comprehensive and complicated, that it demands much previous study, and that the possession of it in its most improved and perfect state is always of great moment to the security of a nation. This, therefore, ought to be a serious care of every government; and for this purpose, an academy, where a regular course of instruction is given, is an obvious expedient which different nations have successfully employed.

The compensation to the officers of the United States, in various instances, and in none more than in respect to the most important stations, appear to call for legislative revision. The consequences of a defective provision are of serious import to the government. If private wealth is to supply the defect of public retribution, it will greatly contract the sphere within which the selection of character for office is to be made, and will proportionally diminish the probability of a choice of men able as well as upright. Besides, that it would be repugnant to the vital principles of our government virtually to exclude from public trusts talents

and virtue unless accompanied by wealth.

While, in our external relations, some serious inconveniences and embarassments have been overcome and others lessened, it is with much pain and deep regret I mention that circumstances of a very unwelcome nature have lately occurred. Our trade has suffered and is suffering ex-

tensive injuries in the West Indies from the cruisers and agents of the French republic; and communications have been received from its minister here which indicate the danger of a farther disturbance of our commerce by its authority, and which are, in other respects, far from agreeable.

It has been my constant, sincere, and earnest wish, in conformity with that of our nation, to maintain cordial harmony and a perfectly friendly understanding with that republic. This wish remains unabated; and I shall persevere in the endeavor to fulfil it to the utmost extent of what shall be consistent with a just and indispensable regard to the rights and honor of our country; nor will I easily cease to cherish the expectation that a spirit of justice, candor, and friendship, on the part of the republic, will eventually ensure success.

In pursuing this course, however, I can not forget what is due to the character of our own government and nation, or to a full and entire confidence in the good sense, patriotism, self-respect, and fortitude of my countrymen.

I reserve for a special message a more particular communication on this interesting subject.

# Gentlemen of the House of Representatives :-

I have directed an estimate of the appropriations necessary for the service of the ensuing year to be submitted from the proper department, with a view of the public receipts and expenditures to the latest period to which an account can be prepared.

It is with satisfaction I am able to inform you that the revenues of the United States continue in a state of progressive improvement.

A reinforcement of the existing provisions for discharging our public

#### FAREWELL ADDRESS.

SEPTEMBER 17, 1796.

## Friends and Fellow-Citizens:-

The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprize you of the resolution I have formed, to decline being considered among the number of those out of whom the choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea. I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove of my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed toward the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that, if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals. that under circumstances in which the passions, agitated in every direction, were liable to mislead-amid appearances sometimes dubious-vicissitudes of fortune often discouraging-in situations in which not unfrequently want of success has countenanced the spirit of criticism-the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing wishes that Heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual -that the free constitution which is the work of your hands may be sacredly maintained-that its administration in every department may be stamped with wisdom and virtue-that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption, of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare which can not end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more

any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts, of common dangers, sufferings, and success.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The north, in an unrestrained intercourse with the south, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The south, in the same intercourse, benefiting by the same agency of the north, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated: and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The east, in like intercourse with the west, in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The west derives from the east supplies requisite to its growth and comfort; and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of the indispensable outlets for its own productions to the weight, influence, and future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest, as one nation. Any other tenure by which the west can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connexion with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations, and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of

your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue of the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any

quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern, Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is, to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive, and in the unanimous ratification by the senate, of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among

make and to alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes

the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans, digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government, destroying afterward the

very engines which have lifted them to unjust dominion.

Toward the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect in the forms of the constitution alterations which will impair the energy of the system. and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitutions of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially, that from the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them upon geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party

generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed;

but in those of the popular form, it is seen in its greatest rankness, and is

truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of the public liberty.

Without looking forward to an extremity of this kind, which nevertheless ought not to be entirely out of sight, the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty

of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passion. Thus the policy and will of one

country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of popular character, in governments purely elective, it is a spirit not to be encouraged. From the natural tendency, it is certain there will always be enough of that spirit

The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness—these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connexion with private and public felicity. Let it be simply asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives; but it is necessary that public opinion should co-To facilitate to them the performance of their duty, it is essential you should practically bear in mind that toward the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects, which is always a choice of difficulties, ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations. Cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages that might be lost by a steady adherence to it? Can it be that Providence has connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by

every sentiment which ennobles human nature. Alas! it is rendered im-

possible by its vices.

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that in the place of them, just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur.

Hence, frequent collisions and obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject. At other times, it makes the animosity of the nation subservient to the projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So, likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and the wars of the latter without adequate inducements or justification. It leads, also, to concessions to the favorite nation of privileges denied to others, which are apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting lealousy, ill-will, and a dis-

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let

them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand on foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils

of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world, so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronising infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments on a respectable defensive posture, we may safely trust to temporary alliances

for extraordinary emergencies.

Harmony and a liberal intercourse with all nations are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the stream of commerce, but forcing nothing; establishing with powers so disposed (in order to give trade a stable course, to define the rights of our merchants, to enable the government to support them) conventional rules of intercourse, the best that present circumstances and natural opinion will permit, but temporary and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not having given more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions, or

prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good—that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and the other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have at least

believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on

# ADMINISTRATION OF WASHINGTON.

The unanimous choice of General Washington as president of the United States by the people of the United States, as expressed through the electoral colleges of the several states at the organization of the government under the constitution, after its adoption, was officially announced to the president elect, at his seat at Mount Vernon, on the 14th of April, 1789. This commission was executed by Mr. Charles Thompson, secretary of the late continental Congress, who presented to him the certificate of the secretary of the senate, stating that he was unanimously elected; the votes of the electors for president and vice-president having been counted by both houses of the first Congress under the constitution, then in session at the city of New York, on the 6th of April.

The urgency of the public business requiring the immediate attendance of the president at the seat of government, he hastened his departure, and on the second day after receiving notice of his appointment, he took leave of Mount Vernon and his family, and set out for New York, in company with Mr. Thompson and Colonel Humphreys. On his way to that city he was everywhere greeted by the people of the different places through which he passed, with the most enthusiastic and decisive evidences of attachment and respect. Although the president hastened his journey, and wished to render it private, the public feelings were too strong to be suppressed. Crowds flocked around him wherever he stopped; and corps of militia, with companies of the most respectable citizens escorted him through their respective states.

In New Jersey, after a most interesting scene at Trenton, having been received by the governor of that state, who accompanied him to Elizabethtown point, he was met by a committee of Congress, who conducted him thence to New York. The president, committee, and other gentlemen, embarked for the city in an elegant barge of thirteen oars, manned by thirteen branch pilots prepared for the purpose by the citizens of New York.

"The display of boats," says Washington, in his private journal, "which attended and joined on this occasion, some with vocal, and others with instrumental music on board, the decorations of the ships, the roar of can-

non, and the loud acclamations of the people, which rent the sky as I passed along the wharves, filled my mind with sensations as painful (contemplating the reverse of this scene, which may be the case after all my labors to do good) as they were pleasing."

In this manner, on the 23d of April, the man possessed of a nation's love landed at the stairs on Murray's wharf, which had been prepared and ornamented for the purpose. There he was received by the governor of New York, and conducted, with military honors, through an immense concourse of people, to the apartments provided for him. These were attended by foreign ministers, by public bodies, by political characters, and by private citizens of distinction, who pressed around him to offer their congratulations, and to express the joy which glowed in their bosoms at seeing the man in whom all confided at the head of the American empire. This day of extravagant joy was succeeded by a splendid illumination.\*

The ceremonies of the inauguration having been adjusted by Congress, on the 30th of April, 1789, the president attended in the senate-chamber in order to take, in the presence of both houses, the oath prescribed by the constitution.

The session of Congress was then held in the city-hall, then called Federal hall, situated in Wall street, opposite the head of Broad street. To gratify the public curiosity, an open gallery adjoining the senate-chamber had been selected by Congress as the place in which the ceremony should take place. The oath was administered by Chancellor Livingston, of New York. Having taken it in the view of an immense con-

electors of president and vice-president were appointed in ten of the states on the first Wednesday of January, 1789, and met to give their votes in the several states, on the first Wednesday of February, and the constitution went into operation on the first Wednesday of March, the same year. It was not, however, until the 30th of April that the government was fully organized, by the induction of the president into office. The legislature of New York having omitted to pass a law directing the mode of choosing electors, owing to a disagreement between the two branches of the legislature, New York did not participate in the first election of president. The whole number of electoral votes given by the ten states was 69, all of which General Washington received, and 34 were received by Mr. Adams, the remaining 35 having been scattered among various candidates. By the constitution, as it originally stood, the presidential electors voted for two persons; the one receiving the highest number of votes was elected president, and the next highest, or second choice of the electors, became vice-president. A majority of the whole number of electoral votes was required for the choice of president, but not for vice-president. Adams, it will be observed, although he received the greatest number of votes next to Washington, was elected vice-president by a minority.

The national government, though one of deliberate consent, encountered, from its formation, a powerful opposition. The friends of the constitution, with Washington and Adams at their head, were denominated Federalists, while those who had opposed the adoption of the constitution were called Anti-Federalists. From various causes, some of those who had supported the constitution in the national and state conventions, and otherwise, joined the opposition to the administration of Washington, among whom may be mentioned Mr. Madison, of Virginia, Mr. Langdon, of New Hampshire, Doctor Williamson, of North Carolina, Mr. Baldwin, of Georgia, and others. In the first Congress, in 1789 and 1790, there was but a small majority in favor of the measures recommended by Washington, and Hamilton, the secretary of the treasury. The anti-federalists elected John Langdon, of New Hampshire, president pro tem. of the senate, and Frederick A. Muhlenberg, speaker of the house of representatives, but they were chosen in the early part of the session, when party lines were not strictly drawn.

The first session of the first Congress, which was held at New York, occupied a period of nearly six months, the adjournment taking place on the 29th of September, 1789. They were employed principally in framing laws necessary to the organization of the government. In this space of time the construction of the powers intended to be given was very ably discussed. The subjects of commerce and of finance received the early and prompt attention of Congress, as well as the organization of the different departments, and of a federal judiciary system. Among the subjects strenuously debated was the president's power of appointment and Vol. I.—6

removal of officers at the head of each executive department of the government, and other officers under the president. The appointment was constitutionally subject to the assent of the senate. The removal, on which point the constitution was silent, was then settled to be in the power of the president alone. A system was adopted for raising a revenue from duties on imports, and the principle was recognised of discriminating duties for the protection of American manufactures. The subject of a tonnage duty was also considered, and an act passed discriminating in favor of American vessels, owners, and navigators. Sixteen articles of amendment to the constitution were approved by Congress, in September, 1789, and recommended to the states for their adoption. Ten of these articles were approved by the requisite number of states, and thus became parts of the constitution. Two other articles, since adopted by the states, were proposed at subsequent sessions of Congress.

Soon after the adjournment of Congress the president made a tour through the eastern states. Before he commenced his journey, he selected his cabinet, namely; in September, 1789, Thomas Jefferson was appointed secretary of state; Alexander Hamilton, secretary of the treasury; Henry Knox, secretary of war; and Edmund Randolph, attorney-general. The office of secretary of the navy did not exist until the presidency of Mr. Adams. Mr. Jefferson returned from a mission to France in November, 1789, and assumed the duties of secretary of state in March, 1790.

John Jav. of New York, was appointed chief justice of the supreme

lished for the purpose of national coinage, and at the same session the states of Vermont and Kentucky were admitted into the Union. The measures adopted by this Congress were of a highly beneficial character to the country, and had the effect to establish the national credit, and advance the public prosperity.

The second Congress met at Philadelphia, in October, 1791. There was a majority in each branch favorable to the administration. Among the measures of the session, an excise act, imposing a duty on domestic distilled spirits, similar to one passed in 1790, was adopted, and became very unpopular with the opposition to the administration. A law providing for a uniform militia system was also passed, and measures taken for a defence of the western frontiers against the Indians, who, in November, 1791, defeated a body of United States troops, under General St. Clair, near the Ohio river. A bounty was granted by law at this session, on vessels employed in the fisheries, for the encouragement of that branch of business; and an apportionment of representation in Congress was made in conformity to the census taken in 1790—the ratio fixed was 33,000 inhabitants for each representative.

The violent opposition to the excise law by a portion of the people, particularly in the interior of Pennsylvania, where meetings were held, and the revenue officers threatened with personal injury, induced Congress, in May, 1792, to pass an act authorizing the president to call out the militia to assist in executing the laws, if he should deem proper. The president being reluctant to employ military force, issued a proclamation, exhorting the people to desist from all illegal acts and meetings; but his council and warning did not produce the effect expected. The discontents continued until August, 1794, when this whiskey insurrection had assumed so serious a character in western Pennsylvania, that an army of volunteers and militia was formed, consisting of about 15,000 men, to suppress it. The insurgents did not venture to meet this force, and the rebellion ceased without conflict. No further opposition was then made to the excise law.

The second session of the second Congress, from November, 1792, to March, 1793, presents but little of interest to the reader. Much of the time was occupied in discussing the domestic and foreign relations of the country, without the adoption of any particular measures of importance. Party spirit ran high, both in Congress and among the people. The cabinet of Washington was divided, Hamilton and Knox advising federal measures, while Jefferson and Randolph generally acted in opposition to their colleagues, and in unison with the opposition in Congress, whom Mr. Jefferson denominated Republicans. The schism in his cabinet was a subject of extreme mortification to the president. Entertaining respect and esteem for both Jefferson and Hamilton, he was unwilling wourt with either, and exerted all his influence to effect a reconciliation between them, but

without success. The hostility of these distinguished men to each other sustained no diminution, and its consequences became every day more diffusive.

The French revolution had an important influence on the politics of the United States, at this time. Mr. Jefferson and his republican friends sympathized with the French nation in their struggles for liberty and their contests with other nations, while Hamilton, and his friends of the federal party, with whom Washington coincided in this respect, considered it important to the interests of the United States to maintain friendly relations with Great Britain, which power was then at war with France, and they were unwilling to sacrifice either the peace or the interests of the nation to any sympathies they might have in favor of the revolutionists of France.

In this state of public opinion, the presidential election of 1792 took place. General Washington had expressed a desire to decline a re-election, but finally yielded to the earnest wishes of his friends, to serve another term. Notwithstanding the high party feeling among the people, Washington again received the unanimous votes of the electoral colleges, 132 in number. Mr. Adams was re-elected vice-president, receiving 77 votes, and George Clinton 50, while 5 were given to other persons. Governor Clinton was the candidate of the republican party.

General Washington appeared in the senate-chamber at Philadelphia on the fourth of March, 1793, to take the oath of office on his re-election to the presidency. The oath was administered by Judge Cushing, of

not bound to take part in a war begun by France; and on the 18th of April the celebrated proclamation of neutrality, by the president, was issued, which has been the guide of the nation ever since, in affairs with foreign nations.

Mr. Genet, after this, threatened to appeal to the people, but finally, after many controversies with him, the president demanded his recall by the French government. Soon after this his commission was withdrawn, and Mr. Fauchet was appointed his successor. Mr. Genet, however, spent the remainder of his life in the United States, and married a daughter of Governor George Clinton, of New York.

Mr. Genet was said to have introduced into the United States the idea of democratic societies," which were first formed in this country about this time, in imitation of the Jacobin clubs in Paris. After the fall of Robespierre these clubs, or secret societies, fell into disrepute, both in France and America.

When the third Congress assembled at Philadelphia, in December, 1793, the opposition to the administration succeeded in electing the speaker of the house of representatives, which body was afterward nearly equally divided on great political questions. In the senate, the vice-president, Mr. Adams, repeatedly settled important questions by his casting vote.

On the 16th of December, the secretary of state, Mr. Jefferson, in compliance with a resolution of the house of representatives of February 23, 1791, made to Congress his celebrated report on the commercial relations of the United States with foreign nations. This is one of the ablest documents that has ever emanated from Mr. Jefferson. He made an additional report on the 30th of December, communicating certain documents of foreign governments, which was his last official act as secretary of state. Agreeably to a notice which he gave the president, some months previous, he resigned his office and seat in the cabinet, December 31, 1793, and retired to his residence in Virginia.

The president appointed Edmund Randolph to succeed Mr. Jefferson as secretary of state, and William Bradford, of Pennsylvania, to succeed Mr. Randolph as attorney-general.

On the 4th of January, 1794, Mr. Madison introduced in the house a series of resolutions on commercial affairs, in conformity with the report of Mr Jefferson. They gave rise to a long and acrimonious debate, but were finally postponed. A resolution, however, to cut off all intercourse with Great Britain, passed the house by a small majority, but was defeated in the senate by the casting vote of the vice-president. The important subjects suggested in the president's message, and in official reports, were under consideration in the two branches of Congress, from the beginning of January to the 16th of April. The excitement was high among a large portion of the people, in favor of France. They insisted that the friends of France should declare themselves by wearing the national cockade.

They insisted, also, on war with England. In Congress, the war of words disclosed a state of feeling which the decorum of the place hardly restrained from full expression.

The conduct of the British government at this time added to the difficulties of the administration. The western forts on Lake Erie and its vicinity were still occupied by the British, contrary to the treaty of 1783. American vessels were seized on their way to French ports, and American seamen were impressed. The president, after many remonstrances with the British government, was sensible that a crisis was approaching which would involve the United States in a war with England, unless the calamity could be averted by negotiation. Washington, therefore, concluded to send a special envoy to England, and in April, 1794, selected John Jav. then chief justice of the supreme court, for that purpose. Mr. Jay arrived in England in June, 1794, and in November following a treaty with Great Britain was signed. It arrived in the United States on the 7th of March, 1795, and was ratified by the senate on the 24th of June, by precisely the constitutional majority (two thirds), after much opposition, and an investigation continued from the 9th of the same month. As this treaty was considered favorable to Great Britain, although it was the best that Mr. Jay could obtain, the publication of it in this country tended to heighten the asperity of political parties, and to increase the feelings of hostility toward England which were entertained by the opposition to the administration. The clamor against the treaty, however, gradually subsided, and addresses from all quarters poured in upon the president, prin-THE TO REST

In 1794, the French government requested the recall of Gouverneur Morris, the minister from the United States to France, which request Washington complied with, and appointed James Monroe his successor. Mr. Morris had expressed his disapprobation of the revolutionary proceedings in France. In September, 1796, the president recalled Mr. Monroe, and appointed Charles Cotesworth Pinckney to succeed him.

At the close of the year 1794, General Knox resigned his place as secretary of war, and retired to Boston. His successor was Timothy Pickering, who was appointed on the 2d of January, 1795; he was, previous to that time, postmaster-general.

Mr. Hamilton resigned, as secretary of the treasury, on the 31st of January, 1795, and was succeeded on the 2d of February, by Oliver Wolcott, of Connecticut. In consequence of the death of Mr. Bradford, attorney-general, in August, 1795, the president appointed Charles Lee, of Virginia, his successor, December 10, 1795. At the same time, Timothy Pickering was appointed secretary of state, in place of Edmund Randolph, who had resigned the preceding August. James M'Henry was appointed secretary of war, January 27, 1796.

When the third Congress assembled, at their second session, in November, 1794, it appeared that, while the party in favor of the administration had been strengthened in the senate by recent events, in the house of representatives the opposition still continued to be the most powerful. In replying to the president's speech, the address of the house omitted to notice those parts which censured self-created societies, by which term the democratic clubs were supposed to be intended; also the victory of Gen. Wayne and the policy observed by the executive in its intercourse with foreign nations. An attempt to censure the "self-created societies," failed by the casting vote of the speaker. A bill, however, was passed, authorizing the president to station military force in the western counties of Pennsylvania, and an appropriation, exceeding one million of dollars, was made to defray the expenses of the insurrection.

The report of the secretary of the treasury, on the national finances, was the last official act of Colonel Hamilton; he soon after retired from office, as already stated. His report embraced the digest of a plan on the basis of the actual revenues for the further support of the public credit. In conformity with this plan, a bill was carried, notwithstanding a strenuous opposition, through both houses, establishing a sinking fund, composed of the surplus revenue, the bank dividends, and the proceeds of the public lands, for the redemption of the national debt. On the third of March, 1795, the constitutional term of the third Congress expired, and this important session was ended.

The senate was convened by the president, on the 8th of June following, for the purpose of considering Mr. Jay's treaty with Great Britain, which was ratified by that body, as already stated, on the 24th of the

same month. The president arrived in Philadelphia, from Mount Vernon. on the 11th of August, and on the next day the question of the immediate ratification of the treaty was brought before the cabinet. The resolution was adopted to ratify the treaty immediately, the secretary of state, Mr. Randolph, only, dissenting; and this opinion of the cabinet was confirmed by the president.

"If the ratification of the treaty," says Judge Marshall, "increased the number of its open advocates, by stimulating the friends of the administration to exert themselves in its defence, it seemed also to give increased acrimony to the opposition. Previous to the mission of Mr. Jay, charges against the chief magistrate, though frequently insinuated, had seldom been directly made. That mission visibly affected the decorum which had been usually observed toward him, and the ratification of the treaty brought into view sensations which had long been ill concealed. The calumnies with which he was assailed were not confined to his public conduct; even his qualities as a man were the subjects of detraction. That he had violated the constitution in negotiating a treaty without the previous advice of the senate, and that he had drawn from the treasury for his private use more than the salary annexed to his office, were unblushingly asserted.

"Though the secretary of the treasury denied that the appropriations made by the legislature had ever been exceeded, the atrocious charge was still confidently repeated. With the real public the confidence felt in the integrity of the chief magistrate remained unshaken.



While the majority in the senate in favor of the administration had increased, the result of the last elections had again placed a majority in the house of representatives in opposition. This was manifest from the answers returned by the respective houses to the president's speech. That of the senate, adopted fourteen to eight, expressed an entire approbation of the conduct of the executive. The answer reported by a committee of the house, contained expressions of undiminished confidence in the president. But a motion was made to strike out this part; and in the debate on this motion, some of the members did not hesitate to say, that their confidence in the chief magistrate had diminished; and it was evident that a majority were in favor of the motion. The answer was, therefore, recommitted, and so varied as to meet the unanimous assent of the house.

Although in the minority on many questions, the friends of the administration succeeded in electing Jonathan Dayton, a distinguished federalist of New Jersey, speaker of the house of representatives.

Mr. Monroe, the United States minister to the French republic, having presented to that government the American colors, which were placed with those of France, in the hall of the national convention, in Paris, Mr. Adet, who was appointed minister to the United States to succeed Mr. Fauchet, was directed to present to the United States government the flag of the French republic. He arrived in the United States in June, 1795, but did not present the flag in a formal manner until the first of January. 1796, when he delivered it to the president, together with a letter to Congress from the committee of public safety in France. The speech of Mr. Adet on this occasion drew from Washington the memorable reply, commencing as follows: "Born, sir, in a land of liberty; having early learned its value; having engaged in a perilous conflict to defend it; having, in a word, devoted the best years of my life to secure its permanent establishment in my country; my anxious recollections, my sympathetic feelings. and my best wishes, are irresistibly attracted, whensoever, in any country, I see an oppressed nation unfurl the banners of freedom."t

The address of Mr. Adet, and the answer of the president, were transmitted to Congress, with the letter from the committee of safety, by the president, on the 4th of January. The colors of France he directed to be deposited among the archives of the United States. Both houses of Congress adopted resolutions expressive of their good will and friendship for the French republic.

· In February, 1796, the treaty with Great Britain was returned, in the form advised by the senate, ratified by his Britannic majesty. The president, in pursuance of his duty, issued his proclamation on the last of February, on the subject, and requiring from all persons its observance and

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execution. For the information of Congress, a copy of this proclamation was transmitted to each house on the first of March.

The republican or democratic party in the house of representatives, who had denied the right of the president to negotiate a treaty of commerce, expressed their dissatisfaction at his course in issuing this proclamation before the sense of the house had been declared on the obligation of the instrument. On the second of March, therefore, Mr. Livingston, of New York, laid upon the table a resolution requesting of the president a copy of the instructions to Mr. Jay, together with the correspondence and other documents relative to the treaty with Great Britain negotiated by him. This motion was vehemently debated, and, after some days, carried, by a majority of 57 to 35. The president answered, with his accustomed coolness and dignity, stating his reasons why the house of representatives, which has no part in the treaty-making power, can not be constitutionally entitled to the papers called for; and concluded with saying: "A just regard to the constitution and to the duty of my office, under all the circumstances of this case, forbid a compliance with your request."

This refusal of the president was received with an indignation which the majority were at no pains to conceal. The same spirit was widely disseminated through the country; but public opinion had undergone an important change. Popular meetings were held on the subject, and, though many of the provisions of the treaty were thought to be objectionable, it was believed that a majority, composed of the most intelligent citizens, were in favor of carrying the treaty into effect, in good faith. The popufirmness and sustained a high character among the diplomatic corps at the British court.\*

The relations of the United States with France continued a subject of anxiety. The treaty negotiated with England by Mr. Jay, and the president's proclamation of neutrality, were regarded with much disfavor by the French government, and they issued several decrees by which American vessels were confiscated, in violation of the treaty of commerce. The president being dissatisfied with the course of Mr. Monroe, the American minister to France, in not urging the rights of his countrymen with sufficient vigor, he was recalled, as already stated, and Charles Cotesworth Pinckney appointed in his place. Mr. Monroe was very popular in France, and on taking his leave of the government, mutual addresses were delivered. The address of the president of the directory, expressing his regret at parting with Mr. Monroe, was calculated to flatter the people of the United States, while it severely consured their government. Mr. Pinckney was permitted to reside at Paris until about the first of February, 1797, when the French directory gave him written orders to quit the territories of the republic, and he retired to Holland.

The third election of president engaged the national attention after the adjournment of Congress. General Washington was earnestly solicited to be a candidate for re-election, but positively declined. In September, 1796, he announced his intention to the people in his memorable "Farewell Address." In this document he made a last effort to impress upon his countrymen those great political truths which had been the guides of his own administration, and could alone, in his opinion, form a sure and solid basis for the happiness, the independence, and the liberty of the United States.

The sentiments of veneration with which this address was generally received, were manifested in almost every part of the Union. Some of the state legislatures directed it to be inserted at large in their journals; and nearly all of them passed resolutions expressing their respect for the president, their high sense of his exalted services, and the emotions with which they contemplated his retirement from office.‡

When this address appeared, announcing the resolution of Washington to retire, the determination of his fellow-citizens had been unequivocally manifested in favor of his continuance in office, and it was believed to be apparent, that his election would again be unanimous, if he had consented to serve for a third term.

The two great parties in the United States were now at once arrayed against each other on the question of the presidential election. By the federalists, Mr. John Adams and Mr. Thomas Pinckney, the late minister to Great Britain, were supported as president and vice-president; while the whole force of the opposite party was exerted in favor of Mr. Jefferson

On the subject of vice-president, the republicans, or democrats, were not united. The result of the election was as follows: John Adams, 71; Thomas Jefferson, 68; Thomas Pinckney, 59; Aaron Burr, 30; Samuel Adams, 15; Oliver Ellsworth, 11; George Clinton, 7; John Jay, 5; James Iredell, 3; George Washington, 2; J. Henry, 2; S. Johnson, 2; Charles C. Pinckney, 1. Total number of electoral votes, 138—each elector voting for two persons. Mr. Adams was therefore elected president, and Mr. Jefferson vice-president, for four years from the fourth of March, 1797.

In November, while the election was pending, and parties were so nearly balanced that neither scale could be perceived to preponderate, the French minister to this country, Mr. Adet, addressed a letter to the secretary of state, which he also caused to be immediately published in the newspapers, reproaching the federal administration with violating those treaties with France which had secured the independence of the United States, with ingratitude to France, and with partiality to England. Mr. Adet also announced the orders of his government to suspend his ministerial functions with that of the United States. This suspension of his functions, however, was not to be regarded "as a rupture between France and the United States, but as a mark of just discontent, which was to last until the government of the United States returned to sentiments and to measures more conformable to the interests of the alliance, and to the sworn friendship between the two nations."

Whatever motives might have impelled Mr. Adet to make this open and direct appeal to the American people, in the critical moment of their elecshould retire, than if he should remain in office." In this opinion of Mr. Giles, only eleven concurred, and with him voted against the answer.

On the 19th of January, 1797, the president, agreeably to the intimation in his speech at the opening of the session, communicated to Congress the state of the relations of the country with the French republic. It contained not only an able review, but an ample refutation of the various charges made by France, as well as a complete justification of the conduct of President Washington toward that nation. This exposition, however, created no change in the conduct of France, and produced little effect on the parties in America.†

On the 4th of March, 1797, the administration of President Washington closed—a period to which he had looked forward with inexpressible pleasure. After witnessing the inauguration of his successor, he withdrew from Philadelphia to Mount Vernon, to spend the remainder of his days in retirement.

During his administration, all the disputes between the United States and foreign nations had been adjusted, with the exception of those of France; at home, public and private credit was restored—ample provision made for the security and ultimate payment of the public debt—commerce had experienced unexampled prosperity—American tonnage had nearly doubled—the products of agriculture had found a ready market—the exports had increased from nineteen millions to more than fifty-six millions of dollars—the imports in about the same proportion—and the amount of revenues from imports had exceeded the most sanguine calculations. The prosperity of the country had been, indeed, without example, notwithstanding great losses from belligerent depredations.

At this day, the conduct and character of Washington are spoken of with respect and veneration by most men. We have seen several sorts of administration of public affairs since his time; it is not too soon to consider calmly and dispassionately, the worth of that conducted by him.

To the high responsibility of giving motion and effect to the new system, among discordant elements, it was the lot of Washington to be called.

Was it right or wrong to provide for the payment of the public debt, justly called "the price of liberty?" Who can answer in the negative? Not to have done what was done, would have been injustice, for which there could have been no palliation.

Was Washington's administration right or wrong toward France and England, during their vindictive and exterminating war? Surely, the true policy of this country was *strict neutrality*. To preserve this, the most forbearing and conciliatory measures were adopted toward each; ministers were sent, and instructions given, to show that the United States were, and meant to be, *neutral*. To the last hour of his administration,

Washington persisted in his neutrality, and was able to countervail the popular clamor in favor of France.

In the discretionary exercise of executive power, the Washington administration was wise and talented. In filling offices, the president preferred, when he could, the revolutionary chiefs, of whose integrity and ability he had ample proofs. No one will say that such men did not deserve the honors and emoluments of office, which their own perilous efforts helped to establish. He displaced no man for the expression of his opinion, even in the feverish excitement of French delusion.

With regard to all other foreign governments; the judiciary; the national bank; the Indian tribes; the mint; in his deportment to his own ministers; his communications to Congress; his construction of the constitution; his sacred regard for it; his devotion to the whole Union; his magnanimity and forbearance; his personal dignity; in all these, and in relation to all other subjects, how great and honorable was his example!

<sup>·</sup> Sullivan.

## BIOGRAPHICAL SKETCH

OF

# JOHN ADAMS.

JOHN ADAMS, the second president of the United States, was born on the 19th of October (old style), 1735, in that part of the town of Braintree, in Massachusetts (near Boston) which has since been incorporated by the name of Quincy. He was the fourth in descent from Henry Adams, who fled from persecution in Devonshire, England, and settled in Massachusetts, about the year 1630. Another of the ancestors of Mr. Adams was John Alden, one of the pilgrim founders of the Plymouth colony in 1620. Receiving his early education in his native town, John Adams, in 1751, was admitted a member of Harvard college, at Cambridge, where he graduated in regular course, four years afterward. On leaving college he went to Worcester, for the purpose of studying law, and at the same time to support himself, according to the usage at that time in New England, by teaching in the grammar-school of that town. He studied law with James Putnam, a barrister of eminence, by whom he was afterward introduced to the acquaintance of Jeremy Gridley, then attorney-general of the province, who proposed him to the court for admission to the bar of Suffolk county, in 1758, and gave him access to his library, which was then one of the best in America.

· Mr. Adams commenced the practice of his profession in his native town, and, by travelling the circuits with the court, became well known in that part of the country. In 1766, by the advice of Mr. Gridley, he removed to Boston, where he soon distinguished himself at the bar, by his superior talents as counsel and advocate. At an earlier period of his life, his thoughts had begun to turn on general politics, and the prospects of his country engaged his attention. Soon after leaving college, he wrote a letter to a friend, dated at Worcester, the 12th of October, 1755, which evinces so remarkable a foresight that it is fortunate it has been preserved. We make the following extracts: "Soon after the reformation, a few people came over into this new world, for conscience' sake

Perhaps this apparently trivial incident may transfer the great seat of empire into America. It looks likely to me, if we can remove the turbulent Gallics, our people, according to the exactest computation, will, in another century, become more numerous than England herself. The only way to keep us from setting up for ourselves, is to disunite us. Divide et impera. Keep us in distinct colonies, and then some great men in each colony, desiring the monarchy of the whole, will destroy each other's influence, and keep the country in equilibrio. Be not surprised that I am turned politician; the whole town is immersed in politics. I sit and hear, and, after being led through a maze of sage observations, I sometimes retire and, by laying things together, form some reflections pleasing to myself. The produce of one of these reveries von have read above." Mr. Webster observes: "It is remarkable that the author of this prognostication should live to see fulfilled to the letter what could have seemed to others, at the time, but the extravagance of vouthful fancy. His earliest political feelings were thus strongly American, and from this ardent attachment to his native soil he never departed."

In 1764, he married Abigail Smith, daughter of Rev. William Smith, of Weymouth, and grand-daughter of Colonel Quincy, a lady of uncommon endowments and excellent education. He had previously imbibed a prejudice against the prevailing religious opinions of New England, and became attached to speculations hostile to those opinions. Nor were his views afterward changed. In his religious sentiments he accorded with Dector Bancroft, a unitarian minister of Worcester, of whose printed ser-

he seconded the nomination of Washington as commander-in-chief of the army, and in July, 1776, he was the adviser and great supporter of the declaration of independence. It was reported by a committee composed of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston. During the same year, he, with Doctor Franklin and Edward Rutledge, was deputed to treat with Lord Howe for the pacification of the colonies. He declined, at this time, the offer of the office of chief justice of the supreme court of Massachusetts.

In December, 1777, Mr. Adams was appointed a commissioner to the court of France, in place of Silas Deane, who was recalled. He embarked in the frigate Boston, in February, 1778. On his arrival in France he found a treaty of amity and commerce, also a treaty of alliance, had been already signed, and, after Doctor Franklin received from Congress the appointment of minister plenipotentiary, Mr. Adams returned to the United States, in the summer of 1779.

Immediately after his return he was chosen a member of the Massachusetts convention for framing the new state constitution. He accepted a seat in that body, and his plan for a constitution being reported by a committee of which he was a member, was, in most of its important features, adopted by the convention.

During the time when he was attending to the business of the Massachusetts convention, Congress resolved to appoint a minister plenipotentiary for negotiating a treaty of peace with Great Britain. On the 29th of September, 1779, Mr. Adams received this appointment, and sailed in the French frigate La Sensible, in November. He landed at Ferrol, in Spain, and arrived in Paris in February, 1780. In August he repaired to Amsterdam, having previously been instructed to procure loans in Holland, and soon afterward receiving power to negotiate a treaty of amity and commerce. In 1782 he effected a loan for eight millions of guilders, also negotiated a very favorable treaty with Holland, which nation recognised the United States as free, sovereign, and independent.

In 1781 Mr. Adams was associated by Congress with Franklin, Jay, Laurens, and Jefferson, in a commission for concluding treaties of peace with the several European powers; and in 1783 he was associated with Franklin and Jay for the purpose of negotiating a commercial treaty with Great Britain. The definitive treaty of peace with Great Britain was signed on the 3d of September, 1783, by Messrs. Adams, Franklin, and Jay; the provisional treaty had been signed by the same commissioners, with Mr. Laurens, on the 30th of November, 1782.

During part of the year 1784, Mr. Adams remained in Holland, and returned to France, where he joined his associates appointed by Congress to negotiate commercial treaties with foreign nations. An extensive plan of operations for commercial conventions was formed, but not carried out.

In January, 1785, Congress appointed Mr. Adams minister to represent Vol. I.—7

the United States at the court of Great Britain, an office at that time deemed peculiarly delicate and interesting. Although his reception by the king was favorable and courteous, Mr. Adams found the British ministry cold and unfriendly toward the United States, and he was, therefore, unable to negotiate a commercial treaty with that nation. In other respects, however, he rendered valuable services to his country, and, besides assisting in forming treaties with Prussia and Morocco, he wrote, while in Europe, an elaborate and eloquent defence of the forms of government established in the United States, in reply to strictures advanced by Mr. Turgot, the Abbé de Mably, Dr. Price, and other European writers. Immediately after the publication of this work, Mr. Adams asked permission to resign and return, and in June, 1788, he arrived in his native land, after an absence of between eight and nine years.

The services of Mr. Adams in the cause of his country, at home and abroad, during the period to which we have referred, it is believed, were not excelled by those of any other of the patriots of the revolution. In the language of one of his eulogists (Mr. J. E. Sprague, of Massachusetts): "Not a hundred men in the country could have been acquainted with any part of the labors of Mr. Adams—they appeared anonymously, or under assumed titles; they were concealed in the secret conclaves of Congress, or the more secret cabinets of princes. Such services are never known to the public; or, if known, only in history, when the actors of the day have passed from the stage, and the motives for longer concealment cease to exist. As we ascend the mount of history, and rise above the vapors

• he held it, and presided in the senate, with great dignity, during the entire period of Washington's administration, whose confidence he enjoyed, and by whom he was consulted on important questions. In his valedictory address to the senate, he remarks: "It is a recollection of which nothing can ever deprive me, and it will be a source of comfort to me through the remainder of my life, that on the one hand, I have for eight years held the second situation under our constitution, in perfect and uninterrupted harmony with the first, without envy in the one, or jealousy in the other, so, on the other hand, I have never had the smallest misunderstanding with any member of the senate."

In 1790, Mr. Adams wrote his celebrated "Discourses on Davila;" they were anonymously published, at first, in the Gazette of the United States, of Philadelphia, in a series of numbers; they may be considered as a sequel to his "Defence of the American Constitutions." He was a decided friend and patron of literature and the arts, and while in Europe, having obtained much information on the subject of public institutions, he contributed largely to the advancement of establishments in his native state, for the encouragement of arts, sciences, and letters.

On the retirement of General Washington from the presidency of the United States, Mr. Adams was elected his successor, after a close and spirited contest with two rivals for that high office; Mr. Jefferson being supported by the democratic or republican party, while a portion of the federal party preferred Mr. Thomas Pinckney, of South Carolina, who was placed on the ticket with Mr. Adams. The result, as we have sated, in our notice of Washington's administration, was the election of Mr. Adams as president, and Mr. Jefferson as vice-president, and in March, 1797, they entered upon their duties in those offices.

On meeting the senate, as their presiding officer, Mr. Jefferson remarked, that the duties of the chief magistracy had been "justly confided to the eminent character who preceded him, whose talents and integrity," he added, "have been known and revered by me through a long term of years; have been the foundation of a cordial and uninterrupted friendship between us; and I devoutly pray that he may be long preserved for the government, the happiness, and prosperity of our country." The senate adopted an address taking leave of Mr. Adams, after he had presided over them for eight years, with the strongest expressions of respect and attachment.

The administration of Mr. Adams we shall have occasion to notice in another place. He came to the presidency in a stormy time. In the language of Colonel Knapp, "the French revolution had just reached its highest point of settled delirium, after some of the paroxysms of its fury had passed away. The people of the United States took sides, some approving, others deprecating, the course pursued by France. Mr. Adams wished to preserve a neutrality, but found this quite impossible. A navy

was raised, with surprising promptitude, to prevent insolence, and to chastise aggression. It had the desired effect, and France was taught that the Americans were friends in peace, but were not fearful of war when it could not be averted. When the historian shall come to this page of our history, he will do justice to the sagacity, to the spirit, and to the integrity of Mr. Adams, and will find that he had more reasons, and good ones, for his conduct, than his friends or enemies ever gave him."

In his course of public policy, when war with France was expected, he was encouraged by addresses from all quarters, and by the approving voice of Washington. He, however, gave dissatisfaction to many of his own political party, in his final attempts to conciliate France, and in his removal of two members of his cabinet, toward the close of his administration. Under these circumstances, notwithstanding Mr. Adams was the candidate of the federal party for re-election as president, and received their faithful support, it is not strange that his opponents, with the advantage in their favor of the superior popularity of Mr. Jefferson, succeeded in defeating him. For this event, the correspondence of Mr. Adams shows that he was prepared, and he left the arduous duties of chief magistrate probably with less of disappointment than his enemies had expected.

Immediately after Mr. Jefferson had succeeded to the presidency, in 1801, Mr. Adams retired to his estate at Quincy, in Massachusetts, and passed the remainder of his days in literary and scientific leisure, though occasionally addressing various communications to the public. He gave

through life as among the most excellent and talented of American females. The heroic spirit of Mrs. Adams is shown in a striking light in a letter from her to a friend in London, dated in 1777; we give the following extract: "Heaven is our witness, that we do not rejoice in the effusion of blood; but having forced us to draw the sword, we are determined never to sheathe it slaves of Britain. Our cause is, I trust, the cause of truth and justice, and will finally prevail, though the combined force of earth and hell shall rise against them. To this cause I have sacrificed much of my own personal happiness, by giving up to the councils of America one of my nearest connexions, and living for more than three years in a state of widowhood."

The last years of the long life of Mr. Adams were peaceful and tranquil. His mansion was always the abode of elegant hospitality, and he was occasionally enlivened by visits from his distinguished son, who, in 1825, he had the singular felicity of seeing elevated to the office of president of the United States. At length, having lived to a good old age, he expired, surrounded by his affectionate relatives, on the fourth of July, 1826, the fiftieth anniversary of that independence which he had done so much to achieve. A short time before his death, being asked to suggest a toast for the customary celebration, he replied, "I will give you—Independence for ever." It is known that Mr. Jefferson died on the same day—a most remarkable dispensation of Providence. A similar coincidence occurred five years afterward, in the death of President Monroe, July 4, 1831.

Mr. Adams was of middle stature, and full person, and when elected president, he was bald on the top of his head. His countenance beamed with intelligence, and moral as well as physical courage. His walk was firm and dignified, to a late period of his life. His manner was slow and deliberate, unless he was excited, and when this happened, he expressed himself with great energy. He was ever a man of purest morals, and is said to have been a firm believer in Christianity, not from habit and example, but from diligent investigation of its proofs.

To use the words of a political friend of his (Mr. Sullivan): "He had an uncompromising regard for his own opinion; and seemed to have supposed that his opinions could not be corrected by those of other men, nor bettered by any comparison. It is not improbable that Mr. Adams was impatient in finding how much the more easily understood services of military men were appreciated, than were the secluded, though no less important ones, of diplomatic agency and cabinet council. So made up, from natural propensities, and from the circumstances of his life, Mr. Adams came to the presidency at the time when more forbearance and discretion were required than he is supposed to have had. He seems to have been deficient in the rare excellence of attempting to see himself as others saw him; and he ventured to act as though everybody

saw as he saw himself. He considered only what was right in his own view; and that was to be carried by main force, whatever were the obstacles."

But whatever may be the judgment of posterity as to his merits as a ruler, there can be no question on the subject of his general character—nor of his penetrating mind—his patriotism, and his devotion to what he considered the true interests of his country.



## ADAMS'S

## ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

MARCH 4, 1797.

When it was first perceived, in early times, that no middle course for America remained between unlimited submission to a foreign legislature and a total independence of its claims, men of reflection were less apprehensive of danger from the formidable power of fleets and armies they must determine to resist, than from those contests and dissensions which would certainly arise concerning the forms of government to be instituted over the whole and over parts of this extensive country. Relying, however, on the purity of their intentions, the justice of their cause, and the integrity and intelligence of the people, under an overruling Providence which had so signally protected this country from the first, the representatives of this nation, then consisting of little more than half its present number, not only broke to pieces the chains which were forging and the rod of iron that was lifted up, but frankly cut asunder the ties which had bound them, and launched into an ocean of uncertainty.

The zeal and ardor of the people during the revolutionary war, supplying the place of government, commanded a degree of order sufficient at least for the temporary preservation of society. The confederation which was early felt to be necessary was prepared from the models of the Batavian and Helvetic confederacies—the only examples which remain with any detail and precision in history, and certainly the only ones which the people at large had ever considered. But reflecting on the striking difference, in so many particulars, between this country and those where a courier may go from the seat of government to the frontier in a single day, it was then certainly foreseen by some who assisted in Congress at the formation of it that it could not be durable.

Negligence of its regulations, inattention to its recommendations, if not disobedience to its authority, not only in individuals but in states, soon appeared with their melancholy consequences—universal languor, jealousies, and rivalries of states, decline of navigation and commerce, discouragement of necessary manufactures, universal fall in the value of lands and their produce, contempt of public and private faith, loss of consideration and credit with foreign nations, and at length in discontents, animosities, combinations, partial conventions, and insurrection, threatening some great national calamity.

country. Irritated by no literary aftercation, animated by no i sate, heated by no party animosity. I read it with great satisfact sult of good heads, prompted by good hearts, as an experiment be d to the genius, character, situation, and relations of this nation y than any which had ever been proposed or suggested. In its g inciples and great outlines, it was conformable to such a system ment as I had ever most esteemed, and in some states, my state in particular, had contributed to establish. Claiming a ri rage, in common with my fellow-citizens, in the adoption or re a constitution which was to rule me and my posterity as well and theirs, I did not hesitate to express my approbation of it on ons, in public and in private. It was not then, nor has been significantly and in private. jection to it in my mind that the executive and senate were not n nent. Nor have I ever entertained a thought of promoting any a in it, but such as the people themselves, in the course of their ce, should see and feel to be necessary, or expedient, and by t entatives in Congress and the state legislature, according to the on itself, adopt and ordain.

urning to the bosom of my country after a painful separation from years, I had the honor to be elected to a station under the new ongs, and I have repeatedly laid myself under the most serious obto support the constitution. The operation of it has equalled the interpretations of its friends, and from an habitual attention action in its administration, and delight in its effects upon the perprosperity, and happiness of the nation, I have acquired an habitual to it and veneration for it.

nat other form of government, indeed, can so well deserve our es

ere may be little solidity in an ancient idea that congregations of ities and nations are the most pleasing objects in the sight of sup igences; but this is very certain, that to a benevolent human can be no spectacle presented by any nation more pleasing, majestic, or august, than an assembly like that which has so seen in this and the other chamber of Congress, of a government has executive authority, as well as that of all other branches of the congress o

appear. The existence of such a government as ours for any length of time is a full proof of a general dissemination of knowledge and virtue throughout the whole body of the people. And what object or consideration more pleasing than this can be presented to the human mind? If national pride is ever justifiable or excusable, it is when it springs, not from power or riches, grandeur or glory, but from conviction of national innocence, information, and benevolence.

In the midst of these pleasing ideas, we should be unfaithful to ourselves if we should ever lose sight of the danger to our liberties, if anything partial or extraneous should infect the purity of our free, fair, virtuous, and independent elections. If an election is to be determined by a majority of a single vote, and that can be procured by a party through artifice or corruption, the government may be the choice of a party for its own ends, not of the nation for the national good. If that solitary suffrage can be obtained by foreign nations by flattery or menaces, by fraud or violence, by terror, intrigue, or venality, the government may not be the choice of the American people, but of foreign nations. It may be foreign nations who govern us, and not we, the people, who govern ourselves. And candid men will acknowledge that in such cases choice would have little advantage to boast of over lot or chance.

Such is the amiable and interesting system of government, and such are some of the abuses to which it may be exposed, which the people of America have exhibited to the admiration and anxiety of the wise and virtuous of all nations for eight years, under the administration of a citizen, who, by a long course of great actions, regulated by prudence, justice, temperance, and fortitude, conducting a people, inspired with the same virtues and animated with the same ardent patriotism and love of liberty, to independence and peace, to increasing wealth and unexampled prosperity, has merited the gratitude of his fellow-citizens, commanded the highest praises of foreign nations, and secured immortal glory with posterity.

In that retirement which is his voluntary choice, may he long live to enjoy the delicious recollection of his services, the gratitude of mankind, the happy fruits of them to himself and the world, which are daily increasing, and that splendid prospect of the future fortunes of this country which is opening from year to year. His name may still be a rampart, and the knowledge that he lives, a bulwark against all open or secret enemies of his country's peace. His example has been recommended to the imitation of his successors by both houses of Congress, and by the voice of the legislatures and the people throughout the nation.

On this subject it might become me better to be silent, or to speak with diffidence; but as something may be expected, the occasion I hope will be admitted as an apology, if I venture to say that if a preference, upon principle, of a free republican government, formed upon long and serious reflection, after a diligent and impartial inquiry after truth; if an attachment to the constitution of the United States, and a conscientious determination to support it until it shall be altered by the judgments and wishes of the people, expressed in the mode prescribed in it; if a respectful attention to the constitutions of the individual states, and a constant caution and delicacy toward the state governments; if an equal and important regard to the rights, interest, honor, and happiness, of all the states in the Union, without preference or regard to a northern or southern, an eastern or western position, their various political opinions on essential points, or

is the angel of destruction to elective governments. If any laws, of justice, and humanity in the interior administration; nation to improve agriculture, commerce, and manufactures, fo ty, convenience, and defence; if a spirit of equity and hum ed the aboriginal nations of America, and a disposition to meli condition by inclining them to be more friendly to us and our to be more friendly to them; if an inflexible determination to r peace and inviolable faith with all nations, and that system of v and impartiality among the belligerent powers of Europe which adopted by this government, and so solemnly sanctioned by es of Congress, and applauded by the legislature of the states public opinion, until it shall be otherwise ordained by Congress; onal esteem for the French nation, formed in a residence of s chiefly among them, and a sincere desire to preserve the frien th has been so much for the honor and interest of both nation e the conscious honor and integrity of the people of America internal sentiment of their own power and energies must be prese samest endeavor to investigate every just cause, and remove rable pretence of complaint; if an intention to pursue by ami otiation a reparation for the injuries that have been committed c merce of our fellow-citizens by whatever nation, and if success be obtained, to lay the facts before the legislature that they may r what further measures the honor and interest of the government constituents demand; if a resolution to do justice as far as me d upon me, at all times and to all nations, and maintain peace, f , and benevolence, with all the world; if an unshaken confider honor, spirit, and resources of the American people, on which often hazarded my all, and never been deceived; if elevated ide high destinies of this country and of my own duties toward it, fo a knowledge of the moral principles and intellectual improveme people, deeply engraven on my mind in early life, and not ob exalted by experience and age, and, with humble reverence, I be my duty to add, if a veneration for the religion of a peopl fess and call themselves Christians, and a fixed resolution to co ecent respect for Christianity among the best recommendations - 40 comply with your t

And may that Being who is supreme over all, the Patron of order, the Fountain of justice, and the Protector, in all ages of the world, of virtuous liberty, continue his blessing upon this nation and its government, and give it all possible success and duration consistent with the ends of his providence.

#### SPECIAL SESSION. -- MESSAGE.

MAY 16, 1797.

Gentlemen of the Senate and House of Representatives:-

The personal inconvenience to members of the senate and of the house of representatives, in leaving their families and private affairs at this season of the year, are so obvious, that I the more regret the extraordinary occasion which has rendered the convention of Congress indis-

pensable.

It would have afforded me the highest satisfaction to have been able to congratulate you on a restoration of peace to the nations of Europe whose animosities have endangered our tranquillity. But we have still abundant cause of gratitude to the Supreme Dispenser of national blessings, for general health and promising seasons—for domestic and social happiness for the rapid progress and ample acquisitions of industry through our extensive territories—for civil, political, and religious liberty. While other states are desolated with foreign war, or convulsed with intestine divisions, the United States present the pleasing prospect of a nation governed by mild and equal laws-generally satisfied with the possession of their rights-neither envying the advantages nor fearing the power of other nations-solicitous only for the maintenance of order and justice, and the preservation of liberty—increasing daily in their attachment to a system of government in proportion to their experience of its utility-yielding a ready and general obedience to laws flowing from the reason, and resting on the only solid foundation, the affections of the people.

It is with extreme regret that I shall be obliged to turn your thoughts to other circumstances, which admonish us that some of these felicities may not be lasting. But if the tide of our prosperity is full and a reflux commencing, a vigilant circumspection becomes us, that we may meet our reverses with fortitude, and extricate ourselves from their consequences

with all the skill we possess and all the efforts in our power.

In giving to Congress information of the state of the Union, and recommending to their consideration such measures as appear to me to be expedient or necessary, according to my constitutional duty, the causes and

the object of the present extraordinary session will be explained.

After the president of the United States received information that the French government had expressed serious discontents at some proceedings of the government of these states said to affect the interests of France, he thought it expedient to send to that country a new minister, fully instructed to enter on such amicable discussions, and to give such candid explanations, as might happily remove the discontents and suspicions of the French government, and vindicate the government of the United States. For this purpose, he selected from among his fellow-citizens a character

meen so unfortunately and injuriously impaired, and to explain the interests of both countries, and the real sentiments of his own." minister thus specially commissioned it was expected would pastrument of restoring mutual confidence between the republics. step of the French government corresponded with that expects we days before his arrival at Paris, the French minister of foreigns informed the American minister then resident at Paris of the ties to be observed by himself in taking leave, and by his succeastary to his reception. These formalities they observed, and of December presented officially to the minister of foreign relations a copy of his letters of recall, the other a copy of his letters of

hese were laid before the executive directory. Two days after minister of foreign relations informed the recalled American min the executive directory had determined not to receive another a plenipotentiary from the United States until after the redress of a session demanded of the American government, and which the Fublic had a right to expect from it. The American minister im y endeavored to ascertain whether, by refusing to receive him, indeed that he should retire from the territories of the French representation of the state of the process of the pro

7. For his own justification, he desired a written answer; but of none until toward the last of January, when, receiving notice in water the territories of the republic, he proceeded to Amsterdam, proposed to wait for instructions from this government. Duri idence at Paris, cards of hospitality were refused him, and he eatened with being subjected to the jurisdiction of the minister of; but with becoming firmness, he insisted on the protection of the nations due to him as the known minister of a foreign power. I derive further information from his despatches, which will be ore you.

As it is often necessary that nations should treat for the mutual te of their affairs, and especially to accommodate and terminate d s, and as they can treat only by ministers, the right of embassy own and established by the law and usage of nations. The refi president discloses sentiments more alarming than the refusal of a minister, because more dangerous to our independence and Union, and at the same time studiously marked with indignities toward the government of the United States. It evinces a disposition to separate the people of the United States from the government—to persuade them that they have different affections, principles, and interests, from those of their fellow-citizens whom they themselves have chosen to manage their common concerns—and thus to produce divisions fatal to our peace. Such attempts ought to be repelled with a decision that shall convince France and the world that we are not a degraded people, humbled under a colonial spirit of fear and sense of inferiority, fitted to be the miserable instruments of foreign influence, and regardless of national honor, character, and interest.

I should have been happy to have thrown a veil over these transactions, if it had been possible to conceal them; but they have passed on the great theatre of the world, in the face of all Europe and America, and with such circumstances of publicity and solemnity that they can not be disguised, and will not soon be forgotten. They have inflicted a wound on the American breast. It is my sincere desire, however, that it may be healed.

It is my sincere desire, and in this I presume I concur with you and with our constituents, to preserve peace and friendship with all nations; and believing that neither the honor nor the interest of the United States absolutely forbid the repetition of advances for securing these desirable objects with France, I shall institute a fresh attempt at negotiation, and shall not fail to promote and accelerate an accommodation on terms compatible with the rights, duties, interests, and honor of the nation. If we have committed errors, and these can be demonstrated, we shall be willing to correct them. And equal measure of justice we have a right to expect from France, and every other nation.

The diplomatic intercourse between the United States and France being at present suspended, the government has no means of obtaining official information from that country. Nevertheless, there is reason to believe that the executive directory passed a decree on the second of March last, contravening in part the treaty of amity and commerce of one thousand seven hundred and seventy-eight, injurious to our lawful commerce, and endangering the lives of our citizens. A copy of this decree will be laid before you.

While we are endeavoring to adjust all our differences with France by amicable negotiation, the progress of the war in Europe, the depredations on our commerce, the personal injuries to our citizens, and the general complexion of our affairs, render it my indispensable duty to recommend to your consideration effectual measures of defence.

The commerce of the United States has become an interesting object of attention, whether we consider it in relation to the wealth and finances, or the strength and resources, of the nation. With a seacoast of near two thousand miles in extent, opening a wide field for fisheries, navigation, and commerce, a great portion of our citizens naturally apply their industry and enterprise to those objects. Any serious and permanent injury to commerce would not fail to produce the most embarrassing disorders. To prevent it from being undermined and destroyed, it is essential that it receive an adequate protection.

The naval establishment must occur to every man who considers the injuries committed on our commerce, and the insults offered to our citizens, and the description of the vessels by which these abuses have been

he Union, would have been sufficient to have named many attransportations of troops from one state to another, which we existed. Our seacoasts, from their great extent, are more easily and more easily defended by a naval force than any other. Winaterials, our country abounds; in skill, our naval architects are sare equal to any; and commanders and seamen will not

dthough the establishment of a permanent system of naval defen to be requisite, I am sensible it can not be formed so speedily a vely as the present crisis demands. Hitherto, I have thought prop ent the sailing of armed vessels, except on voyages to the Es where general usage and the danger from pirates appeared to re permission proper. Yet the restriction has originated solely fre to prevent collisions with the powers at war, contravening the gress of June, one thousand seven hundred and ninety-four, and I by doubt entertained by me of the policy and propriety of perm I vessels to employ means of defence while engaged in a law commerce. It remains for Congress to prescribe such regulation enable our seafaring citizens to defend themselves against vic f the law of nations, and at the same time restrain them from co acts of hostility against the powers at war. In addition to t ary provision for defence by individual citizens, it appears to sary to equip the frigates, and to provide other vessels of infer to take under convoy such merchant-vessels as shall remain unarm greater part of the cruisers, whose depredations have been n ous, have been built, and some of them partially equipped, in d States. Although an effectual remedy may be attended with d yet I have thought it my duty to present the subject generall consideration. If a mode can be devised by the wisdom of C to prevent the resources of the United States from being conve he means of annoying our trade, a great evil will be prevented. V ime view, I think it proper to mention that some of our citizens, abroad, have fitted out privateers, and others have voluntarily to ommand, or entered on board of them, and committed spoliation ommerce of the United States. Such unnatural and iniquitous p

our principal seaports demands your consideration. And as our country is vulnerable in other interests besides those of commerce, you will seriously deliberate whether the means of general defence ought not to be increased by an addition to the regular artillery and cavalry, and by arrangements for forming a provisional army.

With the same view, and as a measure which, even in time of universal peace, ought not to be neglected, I recommend to your consideration a revision of the laws for organizing, arming, and disciplining the militia, to

render that natural and safe defence of the country efficacious.

Although it is very true that we ought not to involve ourselves in the political system of Europe, but to keep ourselves always distinct and separate from it if we can, yet to effect this separation, early, punctual, and continual information of the current chain of events, and of the political projects in contemplation, is no less necessary than if we were directly concerned in them. It is necessary, in order to the discovery of the efforts made to draw us in the vortex, in season to make preparations against them. However we may consider ourselves, the maritime and commercial powers of the world will consider the United States of America as forming a weight in that balance of power in Europe which can never be forgotten or neglected. It would not only be against our interest, but it would be doing wrong to one half of Europe at least, if we should voluntarily throw ourselves into either scale. It is a natural policy for a nation that studies to be neutral to consult with other nations engaged in the same studies and pursuits. At the same time that measures might be pursued with this view. our treaties with Prussia and Sweden, one of which is expired and the other near expiring, might be renewed.

## Gentlemen of the House of Representatives:-

It is particularly your province to consider the state of the public finances, and to adopt such measures respecting them as exigencies shall be found to require. The preservation of public credit, the regular extinguishment of the public debt, and a provision of funds to defray any extraordinary expenses, will of course call for your serious attention. Although the imposition of new burdens can not be in itself agreeable, yet there is no ground to doubt that the American people will expect from you such measures as their actual engagements, their present security, and future interests demand.

## Gentlemen of the Senate and House of Representatives :-

The present situation of our country imposes an obligation on all the departments of government to adopt an explicit and decided conduct. In my situation, an exposition of the principles by which my administration will be recovered as the second conduct.

be governed ought not to be omitted.

It is impossible to conceal from ourselves or the world, what has been before observed, that endeavors have been employed to foster and establish a division between the government and the people of the United States. To investigate the causes which have encouraged this attempt is not necessary; but to repel, by decided and united councils, insinuations so derogatory to the honor, and aggressions so dangerous to the constitution, union, and even independence of the nation, is an indispensable duty.

It must not be permitted to be doubted whether the people of the United States will support the government established by their voluntary consent and appointed by their free choice, or whether, surrendering themselves to

that they have been fairly executed—nothing will ever be o impair the national engagements, to innovate upon princ ave been so deliberately and uprightly established, or to surrenanner the rights of the government. To enable me to mailaration, I rely, under God, with entire confidence on the firm ned support of the national legislature, and upon the virtue sm of my fellow-citizens.

## FIRST ANNUAL ADDRESS.

NOVEMBER 23, 1797.

men of the Senate and Gentlemen of the House of Representative is for some time apprehensive that it would be necessary, o of the contagious sickness which afflicted the city of Philade' vene the national legislature at some other place. This meas esirable to avoid, because it would occasion much public incor and a considerable public expense, and add to the calamities tants of this city, whose sufferings must have excited the sym their fellow-citizens. Therefore, after taking measures to asc ate and decline of the sickness, I postponed my determination opes (now happily realized) that, without hazard to the lives ers, Congress might assemble at this place, where it was b to meet. I submit, however, to your consideration, whether a stpone the meeting of Congress, without passing the time fixed itution upon such occasions, would not be a useful amendment f one thousand seven hundred and ninety-four. hough I can not vet congratulate you on the re-establishment of rrope, and the restoration of security to the persons and proper itizens from injustice and violence at sea, we have, nevert lant cause of gratitude to the Source of benevolence and influe for propitions seasons, p

ceived intelligence of the arrival of both of them in Holland, from whence they all proceeded on their journeys to Paris, within a few days of the 19th of September. Whatever may be the result of this mission, I trust that nothing will have been omitted on my part to conduct the negotiation to a successful conclusion, on such equitable terms as may be compatible with the safety, honor, and interests of the United States. Nothing, in the meantime, will contribute so much to the preservation of peace and the attainment of justice, as a manifestation of that energy and unanimity of which, on many former occasions, the people of the United States have given such memorable proofs, and the exertion of those resources for national defence which a beneficent Providence has kindly placed within their power.

It may be confidently asserted, that nothing has occurred since the adjournment of Congress which renders inexpedient those precautionary measures recommended by me to the consideration of the two houses at the opening of your late extraordinary session. If that system was then prudent, it is more so now, as increasing depredations strengthen the reasons for its adoption.

Indeed, whatever may be the issue of the negotiations with France, and whether the war in Europe is or is not to continue, I hold it most certain that permanent tranquillity and order will not soon be obtained. The state of society has so long been disturbed, the sense of moral and religious obligations so much weakened, public faith and national honor have been so impaired, respect to treaties has been so diminished, and the law of nations has lost so much of its force, while pride, ambition, avarice, and violence, have been so long unrestrained, there remains no reasonable ground on which to raise an expectation that a commerce without protection or defence will not be plundered.

The commerce of the United States is essential, if not to their existence, at least to their comfort, their growth, prosperity, and happiness. The genius, character, and habits of the people, are highly commercial. Their cities have been formed and exist upon commerce. Our agriculture, fisheries, arts, and manufactures, are connected with and depend upon it. In short, commerce has made this country what it is, and it can not be destroyed or neglected without involving the people in poverty and distress. Great numbers are directly and solely supported by navigation. The faith of society is pledged for the preservation of the rights of commercial and seafaring, no less than of the other, citizens. Under this view of our affairs, I should hold myself guilty of a neglect of duty if I forbore to recommend that we should make every exertion to protect our commerce, and to place our country in a suitable posture of defence, as the only sure means of preserving both.

I have entertained an expectation that it would have been in my power, at the opening of this session, to have communicated to you the agreeable information of the due execution of our treaty with his catholic majesty respecting the withdrawing of his troops from our territory and the demarcation of the line of limits. But by the latest authentic intelligence, Spanish garrisons were still continued within our country, and the running of the boundary line had not been commenced. These circumstances are the more to be regretted, as they can not fail to affect the Indians in a manner injurious to the United States. Still, however, indulging the hope that the answers which have been given will remove the objections offered by the Spanish officers to the immediate execution of the treaty, I have judged

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hostilities, and to preserve entire their attachment to the Ur it is my duty to observe, that to give a better effect to these m and to obviate the consequences of a repetition of such practice oviding adequate punishment for such offences may be necessar commissioners appointed under the fifth article of the treaty of mmerce, and navigation, between the United States and Great Briteriain the river which was truly intended under the name of St. Croix mentioned in the treaty of peace, met at Passamaque n October, one thousand seven hundred and ninety-six, and vie ouths of the rivers in question and adjacent shores on the islar eing of opinion that actual surveys of both rivers to their sou necessary, gave to the agents of the two nations instructions for use, and adjourned to meet at Boston in August. They met. urveys requiring more time than had been supposed, and not b completed, the commissioners again adjourned to meet at Provide

he commissioners appointed in pursuance of the sixth article of y, met at Philadelphia in May last, to examine the claims of Brects for debts contracted before the peace, and still remaining darfrom citizens or inhabitants of the United States. Various can hitherto prevented any determinations, but the business is not ed and doubtless will be prosecuted without interruption.

e state of Rhode Island, in June next, when we may expect a

nination and decision.

everal decisions on the claims of the citizens of the United States and damages sustained by reason of irregular and illegal cap ondemnations of their vessels or other property, have been maccommissioners in London conformably to the seventh article of ty. The sums awarded by the commissioners have been paid I ish government. A considerable number of other claims, when damages, and not captured property, were the only objects in que been decided by arbitration, and the sums awarded to the citiz United States have also been paid.

he commissioners appointed agreeably to the twenty-first art trenty with Spain, met at Philadelphia in the summer past, to and for the losses and damages sustained by British subjects by reason of the capture of their vessels and merchandise taken within the limits and jurisdiction of the United States and brought into their ports, or taken by vessels originally armed in ports of the United States, upon the awards of the commissioners acting under the seventh article of the same treaty, it is necessary that provision be made for fulfilling these obligations.

The numerous captures of American vessels by the cruisers of the French republic and by some of those of Spain, have occasioned considerable expenses in making and supporting the claims of our citizens before their tribunals. The sums required for this purpose have in divers instances been disbursed by the consuls of the United States. By means of the same captures, great numbers of our seamen have been thrown ashore in foreign countries, destitute of all means of subsistence, and the sick in particular have been exposed to grievous sufferings. The consuls have in these cases also advanced money for their relief. For these advances they reasonably expect reimbursements from the United States.

The consular act relative to seamen requires revision and amendment. The provisions for their support in foreign countries, and for their return, are found to be inadequate and ineffectual. Another provision seems necessary to be added to the consular act: some foreign vessels have been discovered sailing under the flag of the United States and with forged papers. It seldom happens that the consuls can detect this deception, because they have no authority to demand an inspection of the registers and sea letters.

### Gentlemen of the House of Representatives :-

It is my duty to recommend to your serious consideration those objects which by the constitution are placed particularly within your sphere—the national debts and taxes.

Since the decay of the feudal system, by which the public defence was provided for chiefly at the expense of individuals, the system of loans has been introduced; and as no nation can raise within the year by taxes, sufficient sums for defence and for military operations in time of war, the sums loaned and debts contracted have necessarily become the subjects of what have been called funding systems. The consequences arising from the continual accumulation of public debts in other countries, ought to admonish us to be careful to prevent their growth in our own. The national defence must be provided for as well as the support of government, but both should be accomplished as much as possible by immediate taxes, and as little as possible by loans.

The estimates for the service of the ensuing year will by my direction be laid before you.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—

We are met together at a most interesting period. The situations of the principal powers of Europe are singular and portentous. Connected with some by treaties, and with all by commerce, no important event there can be indifferent to us. Such circumstances call with peculiar importunity not less for a disposition to unite in all those measures on which the honor, safety, and prosperity of our country depend, than for all the exertions of wisdom and firmness.

In all such measures you may rely on my zealous and hearty concurrence.

g a number of depositions and

s, committed within and near the limits of the United States of privateer belonging to Cape François or Monto Christo, called coor Fortitude, and commanded by a person of the name of Jordain, and particularly upon an English merchant-ship named assa, which he first plundered and then burned, with the rest go of great value, within the territory of the United States, in of Charleston, on the 17th of October last; copies of which depositions, and also of several other depositions relative to

depositions, and also of several other depositions relative to abject, received from the collector of Charleston, are hereinicated.

enever the channel of diplomatic communication between the Uni and France shall be opened, I shall demand satisfaction for the

d reparation for the injury.

we transmitted those papers to Congress, not so much for the f communicating an account of so daring a violation of the terri United States, as to show the propriety and necessity of enablecutive authority of government to take measures for protecting is of the United States, and such foreigners as may have a rightheir peace and the protection of their laws within their limits well as some other harbors which are equally exposed.

# SPECIAL MESSAGE.

MARCH 19, 1798.

lemen of the Senate and House of Representatives :-

HE despatches from the envoys extraordinary of the United Sta French republic, which were mentioned in my message, to es of Congress, of the fifth instant, have been examined and ma dered.

hile I feel a satisfaction in informing you that their exertions I

tentions of Europe, the powers vested in our envoys were commensurate with a liberal and pacific policy and that high confidence which might justly be reposed in the abilities, patriotism, and integrity, of the characters to whom the negotiation was committed. After a careful review of the whole subject, with the aid of all the information I have received, I can discern nothing which could have insured or contributed to success that has been omitted on my part, and nothing further which can be attempted consistently with maxims for which our country has contended at every hazard, and which constitute the basis of our national sovereignty.

Under these circumstances, I can not forbear to reiterate the recommendations which have been formerly made, and to exhort you to adopt with promptitude, decision, and unanimity, such measures as the ample resources of the country afford for the protection of our seafaring and commercial citizens; for the defence of any exposed portions of our territory; for replenishing our arsenals and establishing foundries and military manufactories; and to provide such efficient revenue as will be necessary to defray extraordinary expenses, and supply the deficiencies which

may be occasioned by depredations on our commerce.

The present state of things is so essentially different from that under which instructions were given to the collectors to restrain vessels of the United States from sailing in an armed condition, that the principle on which those orders were issued has ceased to exist. I therefore deem it proper to inform Congress that I no longer conceive myself justifiable in continuing them, unless in particular cases where there may be reasonable ground of suspicion that such vessels are intended to be employed contrary to law.

In all your proceedings it will be important to manifest a zeal, vigor, and concert, in defence of the national rights, proportioned to the danger with which they are threatened.

#### SECOND ANNUAL ADDRESS.

DECEMBER 8, 1798.

Gentlemen of the Senate and House of Representatives:—

While with reverence and resignation we contemplate the dispensations of Divine Providence in the alarming and destructive pestilence with which several of our cities and towns have been visited, there is cause for gratitude and mutual congratulations that the malady has disappeared, and that we are again permitted to assemble in safety at the seat of government for the discharge of our important duties. But when we reflect that this fatal disorder has within a few years made repeated ravages in some of our principal seaports, and with increased malignancy—and when we consider the magnitude of the evils arising from the interruption of public and private business, whereby the national interests are deeply affected, I think it my duty to invite the legislature of the Union to examine the expediency of establishing suitable regulations in aid of the health laws of the respective states; for these being formed on the idea that contagious sickness may be communicated through the channels of commerce,

there seems to be a necessity that Congress, who alone can regulate trade, should frame a system which, while it may tend to preserve the general health, may be compatible with the interests of commerce and the safety of the revenue.

While we think on this calamity, and sympathize with the immediate sufferers, we have abundant reason to present to the Supreme Being our annual oblations of gratitude for a liberal participation in the ordinary blessings of his providence. To the usual subjects of gratitude I can not omit to add one of the first importance to our well-being and safety—I mean that spirit which has arisen in our country against the menaces and aggression of a foreign nation. A manly sense of national honor, dignity, and independence, has appeared, which, if encouraged and invigorated by every branch of the government, will enable us to view undismayed the enterprises of any foreign power, and become the sure foundation of na-

tional prosperity and glory.

The course of the transactions in relation to the United States and France which have come to my knowledge during your recess, will be made the subject of a future communication. That communication will confirm the ultimate failure of the measures which have been taken by the government of the United States toward an amicable adjustment of differences with that power. You will at the same time perceive that the French government appears solicitous to impress the opinion that it is averse to a rupture with this country, and that it has in a qualified manner declared itself willing to receive a minister from the United States for the purpose of restoring a good understanding. It is unfortunate for professions of this kind that they should be expressed in terms which may countenance the inadmissible pretension of a right to prescribe the qualifications which a minister from the United States should possess, and that,

ble situation of Europe, we shall discover new and cogent motives for the full development of our energies and resources.

But in demonstrating by our conduct that we do not fear war in the necessary protection of our rights and honor, we shall give no room to infer that we abandon the desire of peace. An efficient preparation for war can alone ensure peace. It is peace that we have uniformly and perseveringly cultivated, and harmony between us and France may be restored at her option. But to send another minister without more determinate assurances that he would be received, would be an act of humiliation to which the United States ought not to submit. It must therefore be left with France (if she is indeed desirous of accommodation) to take the requisite steps. The United States will steadily observe the maxims by which they have hitherto been governed. They will respect the sacred rights of embassy. And with a sincere disposition on the part of France to desist from hostility, to make reparation for the injuries heretofore inflicted on our commerce, and to do justice in future, there will be no obstacle to the restoration of a friendly intercourse. In making to you this declaration, I give a pledge to France and the world that the executive authority of this country still adheres to the humane and pacific policy which has invariably governed its proceedings, in conformity with the wishes of the other branches of the government and of the people of the United States. But considering the late manifestations of her policy toward foreign nations, I deem it a duty deliberately and solemnly to declare my opinion, that whether we negotiate with her or not, vigorous preparations for war will be alike indispensable. These alone will give to us an equal treaty, and insure its observance.

Among the measures of preparation which appear expedient, I take the liberty to recall your attention to the naval establishment. The beneficial effects of the small naval armament provided under the acts of the last session are known and acknowledged. Perhaps no country ever experienced more sudden and remarkable advantages from any measure of policy than we have derived from the arming for our maritime protection and defence. We ought without loss of time to lay the foundation for an increase of our navy to a size sufficient to guard our coast and protect our trade. Such a naval force as it is doubtless in the power of the United States to create and maintain, would also afford to them the best means of general defence by facilitating the safe transportation of troops and stores to every part of our extensive coast. To accomplish this important object, a prudent foresight requires that systematical measures be adopted for procuring at all times the requisite timber and other supplies. In what manner this shall be done, I leave to your consideration.

I will now advert, gentlemen, to some matters of less moment, but proper to be communicated to the national legislature.

After the Spanish garrisons had evacuated the posts they occupied at the Natchez and Walnut hills, the commissioner of the United States commenced his observations to ascertain the point near the Mississippi which terminated the northernmost part of the thirty-first degree of north latitude. From thence he proceeded to run the boundary line between the United States and Spain. He was afterward joined by the Spanish commissioner, when the work of the former was confirmed, and they proceeded together to the demarcation of the line. Recent information renders it probable that southern Indians, either instigated to oppose the demarcation or jealous of the consequences of suffering white people to run a line over lands to

which the Indian title had not been extinguished, have ere this time stopped the progress of the commissioners. And considering the mischiefs which may result from continuing the demarcation in opposition to the will of the Indian tribes, the great expense attending it, and that the boundaries which the commissioners have actually established probably extend at least as far as the Indian title had been extinguished, it will, perhaps, become expedient and necessary to suspend further proceedings by recalling our commissioner.

The commissioners appointed in pursuance of the fifth article of the treaty of amity, commerce, and navigation, between the United States and his Britannic majesty, to determine what river was truly intended under the name or the river St. Croix mentioned in the treaty of peace, and forming a part of the boundary therein described, have finally decided that question. On the 25th of October, they made their declaration that a river called Scoodiac, which falls into Passamaquoddy bay at its northwestern quarter, was the true St. Croix intended in the treaty of peace, as far as its great fork, where one of its streams comes from the westward and the other from the northward, and that the latter stream is the continuation of the St. Croix to its source. This decision, it is understood, will preclude all contention among individual claimants, as it seems that the Scoodiac and its northern branch bound the grants of lands which have been made by the respective adjoining governments. A subordinate question, however, it has been suggested, still remains to be determined. Between the mouth of the St. Croix as now settled, and what is usually called the bay of Fundy, lie a number of valuable islands. The commissioners have not continued the boundary line through any channel of these islands, and unless the bay of Passamaquoddy be a part of the bay of Fundy, this further adjustment of boundary will be necessary. But it is apprehended that this will not be a matter of now difficulting

unexampled embarrassments which have attended commerce. When you reflect on the conspicuous examples of patriotism and liberality which have been exhibited by our mercantile fellow-citizens, and how great a portion of the public resources depends on their enterprise, you will naturally consider whether their convenience can not be promoted and reconciled with the security of the revenue by a revision of the system by which the collection is at present regulated.

During your recess, measures have been steadily pursued for effecting the valuations and returns directed by the act of the last session, preliminary to the assessment and collection of a direct tax. No other delays or obstacles have been experienced, except such as were expected to arise from the great extent of our country and the magnitude and novelty of the operation, and enough has been accomplished to assure a fulfilment of the views of the legislature.

Gentlemen of the Senate and Gentlemen of the House of Representatives :-

I can not close this address without once more adverting to our political situation, and inculcating the essential importance of uniting in the maintenance of our dearest interests; and I trust that by the temper and wisdom of your proceedings, and by a harmony of measures, we shall secure to our country that weight and respect to which it is so justly entitled.

#### THIRD ANNUAL ADDRESS.

DECEMBER 3, 1799.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—
It is with peculiar satisfaction that I meet the sixth Congress of the United States of America. Coming from all parts of the Union at this critical and interesting period, the members must be fully possessed of the sentiments and wishes of our constituents.

The flattering prospects of abundance from the labors of the people by land and sea; the prosperity of our extended commerce, notwithstanding interruptions occasioned by the belligerent state of a great part of the world; the return of health, industry, and trade, to those cities which have lately been afflicted with disease; and the various and inestimable advantages, civil and religious, which, secured under our happy frame of government, are continued to us unimpaired, demand of the whole American people sincere thanks to a benevolent Deity for the merciful dispensations of his providence.

But while these numerous blessings are recollected, it is a painful duty to advert to the ungrateful return which has been made for them by some of the people in certain counties of Pennsylvania, where, seduced by the arts and misrepresentations of designing men, they have openly resisted the law directing the valuation of houses and lands. Such defiance was given to the civil authority as rendered hopeless all further attempts by judicial process to enforce the execution of the law, and it became necessary to direct a military force to be employed, consisting of some companies of regular troops, volunteers, and militia, by whose zeal and activity, in co-operation with the judicial power, order and submission were

restored, and many of the offenders arrested. Of these some have been convicted of misdemeanors, and others, charged with various crimes,

remain to be tried.

To give due effect to the civil administration of government, and to insure a just execution of the laws, a revision and amendment of the judiciary system is indispensably necessary. In this extensive country, it can not but happen that numerous questions respecting the interpretation of the laws, and the rights and duties of officers and citizens, must arise. On the one hand, the laws should be executed; on the other, individuals should be guarded from oppression. Neither of these objects is sufficiently assured under the present organization of the judicial department. I therefore earnestly recommend the subject to your serious consideration.

Persevering in the pacific and humane policy which has been invariably professed and sincerely pursued by the executive authority of the United States, when indications were made on the part of the French republic of a disposition to accommodate the existing differences between the two countries, I felt it to be my duty to prepare for meeting their advances by a nomination of ministers upon certain conditions which the honor of our country dictated, and which its moderation had given a right to prescribe. The assurances which were required of the French government previous to the departure of our envoys, have been given through their minister of foreign relations, and I have directed them to proceed on their mission to Paris. They have full power to conclude a treaty, subject to the constitutional advice and consent of the senate. The characters of these gentlemen are sure pledges to their country that nothing incompatible with its honor or interest, nothing inconsistent with our obligations of good faith or friendship to any other nation, will be stipulated.

It appearing probable, from the information I received, that our com-

States, and that they will be instructed to resume their functions whenever the obstacles which impede the progress of the commission at Philadelphia shall be removed. It being in like manner my sincere determination, so far as the same depends on me, that with equal punctuality and good faith the engagements contracted by the United States in their treaties with his Britannic majesty shall be fulfilled, I shall immediately instruct our minister at London to endeavor to obtain the explanations necessary to a just performance of those engagements on the part of the United States. With such dispositions on both sides, I can not entertain a doubt that all difficulties will soon be removed, and that the two boards will then proceed and bring the business committed to them respectively, to a satisfactory conclusion.

The act of Congress relative to the seat of government of the United States, requiring that on the first Monday of December next it should be transferred from Philadelphia to the district chosen for its permanent seat, it is proper for me to inform you that the commissioners appointed to provide suitable buildings for the accommodation of Congress and of the president and for the public offices of the government, have made a report of the state of the buildings designed for those purposes in the city of Washington, from which they conclude that the removal of the seat of government to that place at the time required will be practicable and the accommodation satisfactory. Their report will be laid before you.

# Gentlemen of the House of Representatives :-

I shall direct the estimates of the appropriations necessary for the service of the ensuing year, together with an account of the revenue and expenditure, to be laid before you. During a period in which a great portion of the civilized world has been involved in a war unusually calamitous and destructive, it was not to be expected that the United States could be exempted from extraordinary burdens. Although the period is not arrived when the measures adopted to secure our country against foreign attacks can be renounced, yet it is alike necessary, for the honor of the government and the satisfaction of the community, that an exact economy should be maintained. I invite you, gentlemen, to investigate the different branches of the public expenditure. The examination will lead to beneficial retrenchments, or produce a conviction of the wisdom of the measures to which the expenditure relates.

# Gentlemen of the Senate and House of Representatives :-

At a period like the present, when momentous changes are occurring and every hour is preparing new and great events in the political world—when a spirit of war is prevalent in almost every nation with whose affairs the interest of the United States have any connexion—unsafe and precarious would be our situation were we to neglect the means of maintaining our just rights. The result of the mission to France is uncertain; but however it may terminate, a steady perseverance in a system of national defence commensurate with our resources and the situation of our country is an obvious dictate of wisdom. For remotely as we are placed from the belligerent nations, and desirous as we are, by doing justice to all, to avoid offence to any, nothing short of the power of repelling aggressions will secure to our country a rational prospect of escaping the calamities of war or national degradation. As to myself, it is my anxious desire so to execute the trust reposed in me, as to render the people of the United States

prosperous and happy. I rely with entire confidence on your co-operation in objects equally your care, and that our mutual labors will serve to increase and confirm union among our fellow-citizens and an unshaken attachment to our government.

# SPECIAL MESSAGE.

DECEMBER 23, 1799.

Gentlemen of the Senate :-

I RECEIVE with the most respectful and affectionate sentiments, in yourimpressive address, the obliging expressions of your regard for the loss our country has sustained in the death of her most esteemed, beloved, and admired citizen.

In the multitude of my thoughts and recollections on this melancholy event, you will permit me only to say that I have seen him in days of adversity, in some of the scenes of his deepest distress and most trying perplexities; and I have also attended him in his highest elevation and most prosperous felicity, with uniform admiration of his wisdom, moderation, and constancy.

Among all our original associates in that memorable league of the continent in 1774, which first expressed the sovereign will of a free nation in America, he was the only one remaining in the general government. Although with a constitution more enfeebled than his, at an age, when he thought it necessary to prepare for retirement, I feel myself alone, bereaved of my last brother. Yet I derive a strong consolation from the unanimous

### SPECIAL MESSAGE.

JANUARY 8, 1800.

Gentlemen of the Senate and House of Representatives:-

In compliance with the request in one of the resolutions of Congress of the 21st of December last, I transmitted a copy of these resolutions, by my secretary Mr. Shaw, to Mrs. Washington, assuring her of the profound respect Congress will ever bear to her person and character; of their condolence in the late afflicting dispensation of Providence; and entreating her assent to the interment of the remains of General George Washington in the manner expressed in the first resolution. As the sentiments of that virtuous lady, not less beloved by this nation than she is at present greatly afflicted, can never be so well expressed as in her own words, I transmit to Congress her original letter.

It would be an attempt of too much delicacy to make any comments upon it; but there can be no doubt that the nation at large, as well as all the branches of the government, will be highly gratified by any arrangement which may diminish the sacrifices she makes of her personal feelings.

"Mount Vernon, December 31, 1799.

"SIR: While I feel with keenest anguish the late dispensation of Divine Providence, I can not be insensible to the mournful tributes of respect and veneration, which are paid to the memory of my dear deceased husband; and as his best services and most anxious wishes were always devoted to the welfare and happiness of his country, to know that they were truly appreciated and gratefully remembered affords no inconsiderable consolation.

"Taught by the great example which I have so long had before me never to oppose my private wishes to the public will, I must consent to the request made by Congress, which you have had the goodness to transmit to me; and in doing this I need not, I can not, say what a sacrifice of individual feeling I make to a sense of public duty.

"With grateful acknowledgments and unfeigned thanks for the personal respect and evidences of condolence expressed by Congress and yourself,

"I remain, very respectfully, sir,

"Your most obedient and humble servant,
"MARTHA WASHINGTON."

#### FOURTH ANNUAL ADDRESS.

NOVEMBER 22, 1800.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—
IMMEDIATELY after the adjournment of Congress, at their last session in Philadelphia, I gave directions, in compliance with the laws, for the removal of the public offices, records, and property. These directions have been executed, and the public officers have since resided and conducted the ordinary business of the government in this place.

I congratulate the people of the United States on the assembling of Congress at the permanent seat of their government, and I congratulate you, gentlemen, on the prospect of a residence not to be changed. Although there is cause to apprehend that accommodations are not now so complete as might be wished, yet there is great reason to believe that this inconvenience will cease with the present session.

It would be unbecoming the representatives of this nation to assemble for the first time in this solemn temple, without looking up to the Supreme

Ruler of the universe and imploring his blessing.

May this territory be the residence of virtue and happiness! In this city may that piety and virtue, that wisdom and magnanimity, that constancy and self-government, which adorned the great character whose name it bears, be for ever held in veneration! Here, and throughout our country, may simple manners, pure morals, and true religion, flourish for ever!

It is with you, gentlemen, to consider whether the local powers over the District of Columbia vested by the constitution in the Congress of the United States shall be immediately exercised. If in your opinion this important trust ought now to be executed, you can not fail, while performing it, to take into view the future probable situation of the territory for the happiness of which you are about to provide. You will consider it as the capital of a great nation advancing with unexampled rapidity in arts, in commerce, in wealth, and in population; and possessing within itself those energies and resources which, if not thrown away or lamentably misdirected, will secure to it a long course of prosperity and self-government.

In compliance with a law of the last session of Congress, the officers and soldiers of the temporary army have been discharged. It affords real pleasure to recollect the honorable testimony they gave to the patriotic

their characters, and three persons with equal powers were appointed to treat with them. Although at the date of the last official intelligence the negotiation had not terminated, yet it is to be hoped that our efforts to effect an accommodation will at length meet with a success proportioned

to the sincerity with which they have been so often repeated.

While our best endeavors for the preservation of harmony with all nations will continue to be used, the experience of the world, our own experience, admonishes us of the insecurity of trusting too confidently to their success. We can not, without committing a dangerous imprudence. abandon those measures of self-protection which were adapted to our situation, and to which, notwithstanding our pacific policy, the violence and injustice of others may again compel us to resort. While our vast extent of seacoast, the commercial and agricultural habits of our people, the great capital they will continue to trust on the ocean, suggest the system of defence which will be most beneficial to ourselves, our distance from Europe and our resources from maritime strength will enable us to employ it with effect. Seasonable and systematic arrangements, so far as our resources will justify, for a navy adapted for defensive war, and which may in case of necessity be quickly brought into use, seem to be as much recommended by a wise and true economy as by a just regard for our future tranquillity, for the safety of our shores, and for the protection of our property committed to the ocean.

The present navy of the United States, called suddenly into existence by a great national exigency, has raised us in our own esteem, and by the protection afforded to our commerce, has effected to the extent of our ex-

pectations, the object for which it was created.

In connexion with a navy ought to be contemplated the fortification of some of our principal seaports and harbors. A variety of considerations, which will readily suggest themselves, urge an attention to this measure of precaution. To give security to our principal ports considerable sums have already been expended, but the works remain incomplete. It is for Congress to determine whether additional appropriations shall be made, in order to render competent to the intended purposes the fortifications which have been commenced.

The manufacture of arms within the United States still invites the attention of the national legislature. At a considerable expense to the public, this manufacture has been brought to such a state of maturity as, with continued encouragement, will supersede the necessity of future importations from foreign countries.

## Gentlemen of the House of Representatives:-

I shall direct the estimates of the appropriations necessary for the ensuing year, together with an account of the public revenue and expenditure to a later period, to be laid before you. I observe with much satisfaction, that the product of the revenue during the present year has been more considerable than during any former equal period. This result affords conclusive evidence of the great resources of this country, and of the wisdom and efficiency of the measures which have been adopted by Congress for the protection of commerce and preservation of public credit.

Gentlemen of the Senate and Gentlemen of the House of Representatives :-

As one of the grand community of nations our attention is irresistibly drawn to the important scenes which surround us. If they have exhibited

an uncommon portion of calamity, it is the province of humanity to deplore, and of wisdom to avoid, the causes which may have produced it. If, turning our eyes homeward, we find reason to rejoice at the prospect which presents itself; if we perceive the interior of our country prosperous, free, and happy; if all enjoy safety under the protection of laws emanating only from the general will, the fruits of their own labor; we ought to fortify and cling to those institutions which have been the source of such real felicity, and resist with unabating perseverance the progress of those dangerous innovations which may diminish their influence.

To your patriotism, gentlemen, has been confided the honorable duty of guarding the public interests; and while the past is to your country a sure pledge that it will be faithfully discharged, permit me to assure you that your labors to promote the general happiness will receive from me the

most zealous co-operation.

# ADMINISTRATION OF JOHN ADAMS.

The inauguration of John Adams, as the second president of the United States, took place in Congress Hall, at Philadelphia, on the fourth of March, 1797, in the presence of a large concourse of people, among whom were General Washington, the vice-president elect, the heads of departments, many members of Congress, foreign ministers, and other distinguished persons. Mr. Adams, who was then in his 62d year, was dressed in a full suit of pearl-colored broadcloth; with powdered hair. Before the oath of office was administered to the new president, by Chief-Justice Ellsworth, he delivered his inaugural address; the sentiments and style of which produced a favorable impression upon the people.

The retirement of General Washington was a cause of sincere rejoicing among those of his countrymen who had opposed his administration. In France it was an event long desired and cordially welcomed. On the other hand, many of the political friends of Washington, in view of the situation of the country, considered the loss of his personal influence a public calamity. But, as his successor was known to entertain similar views of public policy, great hopes were felt for the success of the new administration.

Mr. Adams continued in office the same cabinet which had been left by President Washington, namely: Timothy Pickering, secretary of state; Oliver Wolcott, secretary of the treasury; James M'Henry, secretary of war; and Charles Lee, attorney-general; these gentlemen being all of the federal party. The navy department was not established until 1798, when Benjamin Stoddert, of Maryland, was appointed secretary of the navy, George Cabot, of Massachusetts, having declined the office.

The affairs of the United States with France, received the early attention of President Adams. The American minister to that republic, Charles C. Pinckney, had been expelled from their territory by the French rulers, who also issued new orders for depredations upon American commerce, more unjust and injurious than their former decrees. The president thought the state of affairs demanded the immediate consideration of Congress, and he therefore called that body together on the fifteenth of May, 1797.

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There was a decided federal majority in each branch of the national legislature. Jonathan Dayton, of New Jersey, was again elected speaker of the house of representatives; which body, as well as the senate, responded to the president's speech in terms of approval. Several members, who were generally found in the opposition, voted in favor of resolutions for supporting the honor of the country, in consequence of the insulting conduct of the French government.

The administration and a majority in Congress, were still desirous of maintaining a neutral position, and an act was passed, in June, 1797, to prevent American citizens from fitting out or employing privateers against nations at peace with the United States. The exportation of arms and ammunition was also prohibited, and the importation of the same encouraged by law. The president was authorized to call out the militia to the number of eighty thousand, and to accept of the services of volunteers. At the same time, Congress provided for a small naval force, but not sufficient to meet the views of the president.

To provide means for extra expenses, to be incurred for measures of national defence, duties were imposed on stamped paper, and parchment, used for business purposes; an additional duty was also laid on salt, while a drawback was allowed on salt provisions and pickled fish exported. The stamp act proved an unpopular measure. This special session of the fifth Congress was adjourned on the 10th of July, 1797.

The president having intimated to Congress that he should make a new attempt to conciliate France, appointed, with the advice and consent of the as the price of peace. The people responded to the sentiment of Mr. Pinckney on the occasion, "Millions for defence, but not a cent for tribute." Mr. Gerry was severely censured for not having left France with his colleagues. There is no doubt that he meant well, and that he supposed his better standing with the French rulers would enable him to effect the purposes of his mission. After finding his mistake, he was compelled to withdraw, on receiving instructions from the president, without, of course, effecting anything.

The fifth Congress reassembled at Philadelphia, on the 13th of November, 1797, and continued in session until the 16th of July, 1798, a period of 247 days, or over eight months. Many important laws were passedamong which were those for the protection of navigation, for maintaining neutrality, for the defence of the sescoast, by the fortification of Boston. Newport, New York, Baltimore, Norfolk, Charleston, and Savannah; and for an additional land and naval force; also for a loan, which was negotiated at eight per cent, interest, and a direct tax on real estate, to meet the extra expenses of these measures of defence. There was an apprehension on the part of a majority in Congress, that the French government, elated by the success of their arms in Europe, might attempt an invasion of the United States. At this time French shipe-of-war were depredating on American commerce, and decrees were issued by the French directory, subjecting to seizure all American vessels having on board British goods or products, or which had sailed from British ports. An act of Congress was passed, in June, 1798, to suspend the commercial intercourse between the United States and France and her possessions. Merchant ships were authorized, under certain restrictions, to be armed in their voyages either to the West Indies or to Europe. A regular and permanent army was ordered to be raised, and the president was authorized to organize twelve additional regiments of infantry, and one regiment each of cavalry, artillery, and engineers, to serve during the difficulties with France. The president was also vested with power to build, purchase, or hire, twelve vessels, of twenty guns each, as an increase of the infant navy of the United States.\* Although these measures for defence were generally warmly opposed by the democratic minority in Congress, and some of them adopted by small majorities, they were received with approbation by a great majority of the people. The young men took up the subject of the affairs of the country with great zeal, and in Boston, Robert Treat Paine wrote the celebrated song of "Adams and Liberty." He and others delivered patriotic orations to their young associates. Addresses were sent to the president from all parts of the country, glowing with patriotism, and with defiance of France. Mr. Adams had good reason to think that he stood strong in the respect and affections of the people, and at this period his administration was undoubtedly popular.

<sup>•</sup> At this session provision was made by law for the establishment of a navy department.

In the arrangement of the intended military force, all eyes were turned to Washington as the chief. Mr. Adams made known his intention to appoint him; and in answer, without intimating a willingness to accept, he expressed his full approbation of the president's measures. He was afterward appointed, with the condition that he might select his officers next in command.\*

The crisis did not arrive which rendered it necessary for Washington to take the field, and, in the course of the following year, a treaty was made with France, which put an end to the military operations in the United States. An army, however, was raised, in 1798, as voted by Congress, and General Hamilton, of New York, was the immediate and active commander, being next in rank to Washington, when the officers were appointed, and who was recommended by him for that station.†

Although there was no declaration of war, either on the part of France or the United States, hostilities actually commenced on the ocean between the two nations. The United States frigate Constellation, of 38 guns, Commodore Truxton, on the 9th of February, 1799, fell in with and captured the French frigate l'Insurgent, of 40 guns. This action took place in the West India seas, and lasted about an hour. The Constellation, after refitting in the United States, met at sea, February 1, 1800, the French frigate l'Vengeance, of 54 guns, which latter vessel was silenced after an action of five hours. A squall enabled her to escape, with the loss of 160 men killed and wounded.

The French government and people were surprised by the hostile

the opinions they published, endangered the welfare of the nation, for which it was the imperious duty of Congress to provide. The objection to the sedition law was, that it restricted the liberty of speech and of the press, which was an arbitrary interference with the right of the citizens to express freely their opinions on all public and political measures. Those who justified the law asserted that the grossest falsehoods were uttered and published, tending to deceive the people, and to excite their prejudices unduly, to the danger of the peace of the nation: And the government ought to take measures to protect its rightful authority, and maintain the peace of the republic—that the law expressly provided, in mitigation of the common law on libels, that the truth, if proved, should be a justification. There were at this period two hundred newspapers published in the United States; 178 or 180 were in favor of the federal administration, about twenty were opposed to most of the leading measures then adopted, and the greater portion of these were under the control of aliens. It

The opposition to the alien and sedition laws was very great in some parts of the country. In Virginia and Kentucky the legislatures declared them to be direct and gross infractions of the constitution, and appealed to the other states to join in opposition to them. At the next session of Congress, numerous petitions were presented for a repeal, but without avail at that time.

When the president met the fifth Congress at the commencement of their third session, in December, 1798, General Washington was present in the representatives' hall, accompanied by Generals Pinckney and Hamilton. This was Washington's last visit to Philadelphia, previous to his death, which took place a year afterward. He was now at the seat of government for the purpose of consulting with the president in arrangements respecting the organization of a provisional army.

The replies of both branches of Congress to the president's speech were in terms of decided approval of the measures recommended by him, particularly with regard to the course pursued toward France. Acts were passed for completing the organization of the army, and for augmenting the navy. The navy now began to be regarded with favor, and the president was authorized to contract for building six ships-of-war, of seventy-four guns; and six sloops-of-war, of eighteen guns each; for which purpose one million of dollars was appropriated.

Acts were also passed, for the relief and protection of American seamen, and authorizing the president to retaliate on subjects of other nations in cases of impressment; to regulate trade and intercourse with the Indian tribes; and farther to suspend the commercial intercourse between the United States and France. Sundry other measures of importance

See Bradford's History of the Federal Government, and Sullivan's Letters.
 † Bradford.
 † Ibid.

were adopted to provide for the exigencies of the country. The term of the fifth Congress expired March 3, 1799.

Resistance to the laws for collecting a direct tax being made in the state of Pennsylvania, the governor of that state was called on by the president to order out the militia, which was done, and the insurrection was promptly suppressed.

Before the adjournment of Congress, Mr. Adams had received intimations from the French government, through the American minister in Holland, Mr. William Vans Murray, that one or more envoys would be received for the purpose of holding diplomatic intercourse. The president, therefore, concluded to make a new attempt at negotiation, and on the 26th of February, 1799, he nominated to the senate Mr. Murray, Oliver Ellsworth (then chief justice), and Patrick Henry, as envoys to France, who were confirmed by the senate. Mr. Henry declined, and Governor William R. Davie, of North Carolina, was substituted. In his letter declining the appointment, Patrick Henry said: "I entertain a high sense of the honor done me by the president and the senate. Nothing short of absolute necessity could induce me to withhold my feeble aid from an administration whose abilities, patriotism, and virtue, deserve the gratitude and reverence of all their fellow-citizens."

The president did not consult his cabinet on this occasion. When Mr. Pickering, secretary of state, and Mr. M'Henry, secretary of war, were informed that he intended a new mission, they remonstrated, and this made the breach, which had long been widening, irreparable. All those who

Adams's administration. The senate suspended two articles of the treaty, for further negotiation, which were settled after Mr. Jefferson's accession to the presidency. The treaty was objected to in this country, that it did not definitely and expressly stipulate indemnification for recent depredations, by French vessels, on American commerce. The claims of the United States on France were not, indeed, abandoned, and the friends of the administration refrained from all denunciations and clamors against the treaty, from their confidence in the desire of the president and senate to sustain the honor and interest of the United States.

The elections for members of the sixth Congress had terminated favorably for the administration of Mr. Adams; and on the assembling of that body, in December, 1799, Theodore Sedgwick, of Massachusetts, a prominent federalist, was elected speaker. The answers of the two houses to the president's speech, expressed their entire approbation of the course of the president toward France, and their concurrence in his views on other subjects mentioned, particularly in persevering in a system of national defence, however the mission to France might terminate.

On the 18th of December, Congress received the afflicting intelligence of the death of General Washington, which was announced in the house of representatives by Mr. Marshall, of Virginia (afterward chief justice), and both houses immediately adjourned. The senate-chamber, and representatives' hall, were afterward dressed in mourning, and other demonstrations of respect and of the feelings of Congress, were adopted in memory of the father of his country.

At this session of Congress, which continued until the 14th of May, 1800, acts were passed further providing for the defence of the country and for the protection of commerce; for maintaining peace with the Indians; and for the relief of persons imprisoned for debt in cases decided by the courts of the United States. A bankrupt law was also enacted, having been proposed and advocated at several preceding sessions. An additional act was passed prohibiting the slave-trade, more explicit and extensive than the law of 1794. Additional duties were laid on sugar, molasses, and wines; and acts were also passed for taking a census in 1800, for erecting additional forts on the seacoast, for extending the postoffice establishment, and for the organization of Indiana territory. At this session, William H. Harrison appeared as the first delegate to Congress from the Northwest territory (now Ohio and Indiana).

The conciliatory measures of the president toward France did not have the effect of lessening the opposition to his administration; on the contrary, the democratic party continually gained strength and new adherents, and the violence of their censures and attacks upon the prominent measures of the federal government, increased as the dangers of war with France passed away. The public expenditures for the support of the army and navy, the direct taxes, and excise, but above all, the alien and

sedition laws, were the subjects of constant attack, and successful efforts were made to render these measures unpopular with the people.

The two parties in Congress selected, in caucus, their candidates for president and vice-president, for the support of the people; the federalists presented the names of President Adams and General Charles Cotesworth Pinckney, brother to Thomas Pinckney, who was placed on the ticket with Mr. Adams in 1796; the democrats, or republicans, nominated Mr. Jefferson and Colonel Aaron Burr. As most of the presidential electors were to be chosen by the legislatures of the several states, the contest commenced in the election of members of the state legislatures. The most important, as well as one of the earliest of these elections, was that in the state of New York, which took place on the last two days of April and the first of May, 1800. The result of that contest, which was known before Congress adjourned, was favorable to the friends of Jefferson and Burr, thus reversing the vote of New York, which had been given to Adams and Pinckney in 1796. The hopes of the democrats were, of course, raised in a high degree, and that of the federalists proportionably depressed, by the prospects before them which this election presented. The question of the presidency was not, however, by any means, considered as settled, and the public mind was destined to be deeply excited on the subject during the remainder of the year.

Immediately after the New York election, President Adams abruptly dismissed two of his cabinet ministers, viz., Mr. Pickering, secretary of state, and Mr. M'Henry, secretary of war, an event which caused much

ident. Thus a new turn was given to the excitement in the public mind.

During the summer of 1800, the seat of government had been removed from Philadelphia to the new federal city of Washington, and at the lately-erected capitol President Adams met the sixth Congress, on the 22d of November, 1800, when he delivered his last annual speech to the national legislature. He had, in May previous, appointed John Marshall, of Virginia, secretary of state, and Samuel Dexter, of Massachusetts, secretary of war. On the 31st of December following, Oliver Wolcott resigned, as secretary of the treasury, and Mr. Dexter was appointed in his place. Roger Griswold, of Connecticut, was appointed secretary of war on the 3d of February, 1801.

The most important acts of Congress, from November, 1800, to March 3, 1801, were the following: An additional law relating to the federal judiciary, which divided the United States into six circuits, and provided for the appointment of three judges in each, leaving the judges of the supreme court to exercise power as a court of appeals, and for the correction of errors. An act for a naval peace establishment, by which the president was empowered, when he should think it safe and proper, to sell the ships of the United States, except thirteen of the largest frigates; that six of these be hauled up and dismantled, and the others retained in service. An act for continuing the mint at Philadelphia, and for directing the mode of estimating foreign coins; for extending routes for conveying the public mails; and for erecting several new lighthouses on the seacoasts.

The subject of erecting a mausoleum or monument to the memory of Washington, was frequently discussed in Congress during this session. It was voted, by the house of representatives, to erect a mausoleum, and one hundred thousand dollars were appropriated for the purpose; but the senate rejected the plan, and decided in favor of a monument, as it would be less expensive, and voted only fifty thousand dollars to complete it.

Between the 13th of February and the 4th of March, 1801, President Adams appointed, with the consent of the senate, all the judges for the new courts, and the commissions were issued. The individuals selected for these offices were men of high standing, but the law was condemned by the democratic party, and the judges were called "the midnight judges of John Adams," in allusion to the supposed time of appointment, at the close of his official duties. In consequence of the repeal of the law under which they were appointed, these judges lost their offices, in the early part of Mr. Jefferson's administration.

On the 11th of February, 1801, the votes for president and vice-president were counted, in the senate-chamber, in the presence of both houses of Congress, when, the tellers having announced the result, the vice-president (Mr. Jefferson) declared, that Thomas Jefferson and Aaron Burr

being equal in the number of votes, it remained for the house of representatives to determine the choice. Thereupon, the members of the house returned to their chamber, when it was ascertained that 104 members were present, one deceased, and one absent, from sickness. The first ballot, (being by states, according to the constitution) was eight states for Mr. Jefferson, six states for Mr. Burr, and two divided, which result continued to be the same after balloting thirty-five times. The number of those who voted for Burr was 53, all federalists, and 51 for Jefferson, all republicans, or democrats, with one or two exceptions. On the 36th ballot, which took place on the 17th of February, several of the members who had voted for Burr, withdrew their opposition to the election of Mr. Jefferson, by putting in blank votes, in consequence of which, there appeared for Jefferson ten states, for Burr four, viz., New Hampshire, Massachusetts, Connecticut, and Rhode Island, and there were two blanks, viz., Delaware and South Carolina. Mr. Jefferson was thereupon elected president, and Colonel Burr vice-president, for four years from the fourth of March, 1801.

The friends of the administration of Mr. Adams generally supported Colonel Burr, without any concert or understanding with him, but believing him to be more in favor of the policy before pursued, than Mr. Jefferson, particularly on the subject of commerce.

Of the character of Mr. Adams's administration, much difference of opinion still prevails; but viewing it in continuation of that of Washington, Mr. Bradford, in his history of the federal government, remarks:—

## BIOGRAPHICAL SKETCH

OF

# THOMAS JEFFERSON.

The life of Thomas Jefferson, the third president of the United States, is one of the most interesting and instructive among those of the distinguished persons whose names are identified with American history. In the character of this extraordinary man, as well as in the events of his life, we are presented with a combination of philosophical attainments and political talents, of benevolent feelings, and ambitious aspirations, rarely found united in the same individual, and still more rarely resulting in the popular veneration bestowed upon his name by a large portion of his countrymen; while by others he has been regarded in an unfavorable light as a statesman and a ruler, particularly in the effect of his political principles upon the American people, over whom he acquired such an astonishing ascendency.

The family of Jefferson were among the early emigrants from Great Britain to Virginia. "The tradition in my father's family," the subject of this sketch says, in his own memoirs, "was, that their ancestor came to this country from Wales, and from near the mountain of Snowdon; but the first particular information I have of any ancestor, was of my grandfather, who lived at the place in Chesterfield called Osborne's, and owned the lands, afterward the glebe of the parish. He had three sons: Thomas, who died young; Field, who settled on the waters of the Roanoke, and left numerous descendants; and Peter, my father, who settled on the lands I still own, called Shadwell, adjoining my present residence. He was born February 29, 1707–'8, and intermarried, 1739, with Jane Randolph, of the age of 19, daughter of Isham Randolph, one of the seven sons of that name and family settled in Goochland. They traced their pedigree far back in England and Scotland, to which let every one ascribe the faith and merit he chooses."

At the above-named place, Shadwell, in Albemarle county, Virginia, Thomas Jefferson was born, on the 2d of April (old style), 1743. His

Mr. Maury, a Classical Scholar, ..... years. In the spring of 1760, he entered William and Mary Co re he continued two years. Dr. William Small, of Scotland, was ssor of mathematics, and is described by Mr. Jefferson as "a ound in most of the useful branches of science, with a happy ommunication, correct and gentlemanly manners, and an enlarge ral mind. He, most happily for me," he adds, "became soon att ne, and made me his daily companion when not engaged in the sc from his conversation I got my first views of the expansion o a, and of the system of things in which we are placed. He ret Surope in 1762, having previously filled up the measure of his to me, by procuring for me, from his most intimate friend, G the, a reception as a student at law under his direction, and introd to the acquaintance and familiar table of Governor Fauquier, the who had ever filled that office. Mr. Wythe continued to ! hful and beloved mentor in youth, and my most affectionate ough life. In 1767, he led me into the practice of the law, at t the general court, at which I continued until the revolution shut rts of justice."

'It has been thought," says Mr. Wirt, "that Mr. Jefferson made at the bar; but the case was far otherwise. There are still ex own fair and neat hand, in the manner of his master, a number nents which were delivered by him at the bar, upon some of the cate questions of the law; which, if they shall ever see the livindicate his claim to the first honors of his profession. It was not distinguished in popular debate; why he was not so, have matter of surprise to those who have not seen his eloquence, and heard it in conversation. He had all the attributes of the day only defect was a physical one: he wanted volumes.

purposes of judicial debate; and there is no reason to doubt that, if the service of his country had not called him away so soon from his profession, his fame as a lawyer would now have stood upon the same distinguished ground which he confessedly occupies as a statesman, an author, and a scholar.

"At the time of Mr. Jefferson's appearance," the same writer remarks, "the society of Virginia was much diversified, and reflected pretty distinctly an image of that of England. There was, first, the landed aristocracy, shadowing forth the order of English nobility; then the sturdy yeomanry, common to them both; and last, a faculum of beings, as they were called by Mr. Jefferson, corresponding with the mass of the English plebeians.

"Mr. Jefferson, by birth, belonged to the aristocracy: but the idle and voluptuous life which marked that order had no charms for a mind like his. He relished better the strong, unsophisticated, and racy character of the yeomanry, and attached himself, of choice, to that body. He was a republican and a philanthropist, from the earliest dawn of his character. He read with a sort of poetic illusion, which identified him with every scene that his author spread before him. Enraptured with the brighter ages of republican Greece and Rome, he had followed with an aching heart the march of history which had told him of the desolation of those fairest portions of the earth; and had read, with dismay and indignation, of that swarm of monarchies, the progeny of the Scandinavian hive, under which genius and liberty were now everywhere crushed. He loved his own country with a passion not less intense, deep, and holy, than that of his great compatriot (John Adams): and with this love he combined an expanded philanthropy which encircled the globe. From the working of the strong energies within him, there arose an early vision, too, which cheered his youth and accompanied him through life-the vision of emancipated man throughout the world."\*

While he was a student of law at Williamsburg, in 1765, Mr. Jefferson heard the celebrated speech of Patrick Henry, in the Virginia house of delegates, against the stamp-act; animated by the eloquence of Henry, he from that time stood forward as a champion for his country.

In 1769, he was chosen by the people of his county to represent them in the legislature of the colony, a station that he continued to fill up to the period of the revolution. In that capacity he made an effort, which was not successful, for the emancipation of slaves in Virginia.

In January, 1772, Mr. Jefferson married Mrs. Martha Skelton, a widow of twenty-three years of age, daughter of Mr. John Wayles, an eminent lawyer of Virginia, who left her a considerable fortune.

On the 12th of March, 1773, Mr. Jefferson was chosen a member of the first committee of correspondence established by the colonial legisla-

• Wirt's Eulogy on Adams and Jefferson.

st active members. The virginia donograms in the independence of the colonies, that question was taken upon and, after debate, referred to a committee of five, of whom on was chosen chairman. The committee, whose names are g biography of Mr. Adams, requested Mr. Jefferson to prepare vation of Independence. To this he consented, although them a youngest members of Congress, and his draught of that pais the principal monument of his fame, was accepted by the stand by Congress, with few amendments, and finally adopted on July, 1776.

e new state government of Virginia having been organized the swhile Mr. Jefferson was in Congress, and he having been elected or of the legislature, where he thought he could be useful in fractus required under a republican form of government, he resigne in Congress, and took his seat in the Virginia legislature, in Octains station he acted as one of a commission for revising the lay commonwealth.

nong the laws proposed by him, and adopted, were those prohibiture importation of slaves; for abolishing the law of primogen providing for the equal partition of inheritances; for establishing us freedom; and for a system of general education; which last was never carried into practice in the state.

he benevolence of Mr. Jefferson's character is shown in a trans ch took place in 1779. Congress had deemed it prudent to ret country the British troops who were captured at Saratoga on the ler of Burgoyne, until the British government ratified the agre heir commanding officer. These troops were removed into the of the county, and Charlottesville, in Virginia, in the immediate v

determined, as they were authorized to do by Congress, to remove the prisoners to another state, or to some other part of Virginia. intention was heard by the officers and men with distress, and with regret by Mr. Jefferson and his neighbors. He therefore addressed a letter to Governor Henry, in which he stated, in earnest and feeling language, the inhumanity and impolicy of the proposed measure. This appeal was successful, and the troops were suffered to remain at Charlottesville. From the British officers Mr. Jefferson received many letters of thanks for his kindness and hospitality, which they did not forget in his subsequent visit to Europe. When the time arrived for their leaving Virginia to return to England, the officers united in a letter of renewed thanks and respectful farewell to him. In his reply Mr. Jefferson said: "The little attentions you are pleased to magnify so much, never deserved a mention or thought. Opposed as we happen to be, in our sentiments of duty and honor, and anxious for contrary events, I shall, nevertheless, sincerely rejoice in every circumstance of happiness and safety which may attend you personally."

On the first of June, 1779, Mr. Jefferson was elected by the legislature to succeed Patrick Henry, the first republican governor of Virginia. After holding the office two years, he retired to private life, and soon afterward he narrowly escaped capture by a company of 250 British cavalry, who were sent into the interior for the purpose of surprising and making prisoners the members of assembly at Charlottesville. No one was taken, and Mr. Jefferson, when pursued, escaped on his horse, through the woods at Carter's mountain. He was the same year elected a member of the legislature.

In 1781, Mr. Jefferson wrote his "Notes on Virginia," in reply to certain questions addressed to him by M. de Marbois, the secretary of legation from France in the United States, embracing a general view of its geography, natural productions, statistics, government, history, and laws. This little work, which has been very generally admired for its style and variety of information, was soon after published, both in French and English.

He had, in 1776, declined the appointment of commissioner, with Franklin and Deane, to negotiate treaties with France. In 1782, Congress appointed him a minister plenipotentiary, to join those who were in Europe, to negotiate a treaty of peace with Great Britain, but intelligence having been received that preliminaries had been signed, Congress dispensed with his leaving the United States.

Having been again elected a delegate to Congress, in 1783, he was chairman of the committee to whom the treaty of peace with Great Britain was referred; and on the report of this committee the treaty was unanimously ratified. In 1784, he wrote notes on the establishment of a coinage for the United States, and proposed a different money unit from

was appointed by Congress, in May, 1784, with Adams and F minister plenipotentiary to negotiate treaties of commerce with a chons. In July he sailed from Boston for Europe, with his cater, and joined the other commissioners, at Paris, in August. tons were only successful with Prussia and Morocco. In M. Mr. Jefferson was appointed by Congress to succeed Dr. Fra inister at the French court, and remained in France until 789.

iring his residence in Paris, his society was courted by Cond embert. Morrellet, and other distinguished literary and scientific rance; and in the gavety, learning, taste, elegance, and hospital , he found the pleasures most congenial to his disposition. h of October, 1789, he obtained leave of absence for a short eturned to the United States. He arrived at Norfolk on the 2 unber, and on his way home received from President Washing offering him the appointment of secretary of state, at the orga of the federal government under the constitution, which had itly been adopted. His inclinations were to return to France, as which was left at his option by the president, but he finally co to accede to the wishes of Washington that he should accept th s cabinet offered to him. His reports, while secretary of sta currency, on weights and measures, on the fisheries, and on cor restrictions, as well as his correspondence with foreign min ample proofs of his ability as a statesman. In 1790, Mr. Jef mpanied President Washington on a visit to Rhode Island, after had accepted the federal constitution. In 1791, being called president for his opinion on the act passed by Congress establish mal bank, he made a written communication, objecting to the it as unconstitutional. The bill was, however, approved by Pre

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eral Washington. The opposition to the federal administration assumed an organized form under the auspices of Mr. Jefferson. By his advice, the opposition party, which had been called anti-federalists, claimed the name of republicans, while their federal opponents called them democrats, after that name was introduced here from France. The term democrat was seldom used or countenanced by Mr. Jefferson.

In 1796, the political friends of Mr. Jefferson brought him forward as a candidate for president, but as Mr. Adams received the highest number of votes, that gentleman was elected president, and Mr. Jefferson vice-president, for four years from March 4, 1797. During that period, when not presiding in the senate, his time was passed in his favorite retreat at Monticello. He wrote a manual for the senate, which has ever since been the standard guide of Congress, as well as other political bodies, in the rules for transacting business.

In 1800, Mr. Jefferson was again nominated by his party, for president, and received a majority of votes over Mr. Adams. The votes for Mr. Jefferson and Colonel Burr, the republican candidates for president and vice-president, being equal, the house of representatives, as then required by the constitution, were called upon to decide which should be president.

When the election came on in the house, the political opponents of Mr. Jefferson voted for Burr; but on the 36th ballot, the opposition being partially withdrawn, Mr. Jefferson was elected president, and Colonel Burr became, of course, vice-president.

Of the events of Mr. Jefferson's administration we shall speak in another place. He was re-elected president in 1804, and retired finally from public life March 4, 1809. The remaining seventeen years of his life were passed in the tranquillity of Monticello. "Here," says Mr. Webster, "he lived as became a wise man. Surrounded by affectionate friends, his ardor in the pursuit of knowledge undiminished, with uncommon health, and unbroken spirits, he was able to enjoy largely the rational pleasures of life, and to partake in that public prosperity which he had so much contributed to produce. His kindness and hospitality, the charm of his conversation, the ease of his manners, the extent of his acquirements, and especially the full store of revolutionary incidents which he possessed, and which he knew when and how to dispense, rendered his abode in a high degree attractive to his admiring countrymen, while his public and scientific character drew toward him every intelligent and educated traveller from abroad."

The correspondence of Mr. Jefferson was extensive through life. In his latter years he renewed his intimacy with Mr. Adams, and the letters between the two ex-presidents which were published, are of the most friendly character.

The principal object in which Mr. Jefferson took an interest in his declining years, was that of a system of education in Virginia, especially in Vol. I.—10

ov Congress for \$30,000, and in 1025 he appared to his for leave to dispose of his estate at Monticello by lottery his being sacrificed in payment of his debts. His request but his earthly career was closed before his wishes could be a conflict. After a short illness, he died the following 4th of J he aniversary of that day which fifty years before had been a nemorable by that declaration of independence which had eman his pen. We have mentioned in another place the remarks ence that his compatriot, John Adams, died on the same day. private memorandum left by Mr. Jefferson, he desired that a su obelisk might be erected over his remains, with the following on:—

Here was buried
THOMAS JEFFERSON,
Author of the Declaration of Independence,
Of the Statute of Virginia far Religious Freedom,
And Father of the University of Virginia.

e age of Mr. Jefferson at the time of his death, was a little r-three years. His wife died in 1782, leaving three daughters hom died young, one married John W. Eppes, and the other Th andolph, both of Virginia, the latter afterward governor of the Eppes died in 1804, while Mr. Jefferson was president; Mrs. 1 survived him.

person Mr. Jefferson was beyond the ordinary dimensions, bein two inches in height, thin, but well formed, erect in his carriage sing in his appearance. His complexion was fair, his hair, originate white and silvery in old age; his eyes were lighted with intelligence, and beaming with philanthropy; his no

his disposition. To his slaves he was an indulgent master. As a neighbor, he was much estected for his liberality and friendly offices. As a friend, he was ardent and unchangeable; and as a host, the munificence of his hospitality was carried to the excess of self-impoverishment. He possessed great fortitude of mind, and his command of temper was such that he was never seen in a passion.

As a man of letters, and a votary of science, he acquired high distinction. In the classics, and in several European languages, as well as in mathematics, he attained a proficiency not common to American students.

With regard to his political opinions, and his character as a statesman, his countrymen have widely differed in their estimates. By some persons he has been considered as one of the most pure, amiable, dignified, wise, and patriotic of men. By others he has been considered as remarkably defective in the qualities which dignify and adorn human life, and as one of the most wrong-headed statesmen that ever lived. Posterity will judge which of these opinions is right, and which is wrong. His writings which, agreeably to directions left by him, have been published since his death, afford ample materials for judging of his character. They consist of four volumes, octavo, of correspondence, anas, &c.

The religious opinions of Mr. Jefferson were peculiar and eccentric. His writings show that he was a free-thinker, with a preference for some of the doctrines of unitarianism. In a letter to a friend he says: "I have to thank you for your pamphlets on the subjects of unitarianism, and to express my gratification with your efforts for the revival of primitive Christianity in your quarter. And a strong proof of the solidity of the primitive faith is its restoration, as soon as a nation arises which vindicates to itself the freedom of religious opinion, and its external divorce from civil authority. I confidently expect that the present generation will see unitarianism become the general religion of the United States."

In a letter to William Short, dated April, 1820, when alluding to the subject of religion, Mr. Jefferson remarks: "But it is not to be understood that I am with him [Jesus] in all his doctrines. I am a materialist; he takes the side of spiritualism; he preaches the efficacy of repentance toward forgiveness of sin; I require a counterpoise of good works to redeem it, &c., &c. It is the innocence of his character, the purity and sublimity of his moral precepts, the eloquence of his inculcations, the beauty of the apologues in which he conveys them, that I so much admire; sometimes, indeed, needing indulgence to eastern hyperbolism. My eulogies, too, may be founded on a postulate which all may not be ready to grant. Among the sayings and discourses imputed to him by his biographers, I find many passages of fine imagination, correct morality, and of the most lovely benevolence; and others, again, of so much ignorance, so much absurdity, so much untruth, charlatanism, and imposture, as to pronounce it impossible that such contradictions should have proceeded from

us by man."

ollowing is an extract from the last letter of Mr. Jefferson, writ days previous to his death:—

"Monticello, June 24, 1826

PECTED SIR: The kind invitation I received from you, on the citizens of Washington, to be present with them at their ce on the fiftieth anniversary of American independence, as one viving signers of an instrument pregnant with our own, and the world, is most flattering to myself, and heightened by the h accompaniment proposed for the comfort of such a journey. It a to the sufferings of sickness, to be deprived by it of a perso ation in the rejoicings of that day. But acquiescence is a d ircumstances not placed among those we are permitted to cont at day be to the world, what I believe it will be (to some p to others later, but finally to all) the signal of arousing men he chains under which monkish ignorance and superstition had them to bind themselves, and to assume the blessings and secu -government. For ourselves, let the annual return of this day efresh our recollections of these rights, and an undiminished d them. "TH. JEFFERSO

Mr. WEIGHTMAN."

### **JEFFERSON'S**

# ADDRESSES AND MESSAGEŚ.

#### INAUGURAL ADDRESS.

MARCH 4, 1801.

#### Friends and Fellow-Citizens:-

CALLED upon to undertake the duties of the first executive office of our country, I avail myself of the presence of that portion of my fellow-citizens which is here assembled, to express my grateful thanks for the favor with which they have been pleased to look toward me, to declare a sincere consciousness that the task is above my talents, and that I approach it with those anxious and awful presentiments which the greatness of the charge and the weakness of my powers so justly inspire. A rising nation, spread over a wide and fruitful land, traversing all the seas with the rich productions of their industry, engaged in commerce with nations who Jfeel power and forget right, advancing rapidly to destinies beyond the reach of mortal eye-when I contemplate these transcendent objects, and see the honor, the happiness, and the hopes of this beloved country committed to the issue and the auspices of this day, I shrink from the contemplation, and humble myself before the magnitude of the undertaking. Utterly indeed, should I despair, did not the presence of many whom I here see remind me, that in the other high authorities provided by our constitution I shall find resources of wisdom, of virtue, and of zeal, on which to rely under all difficulties. To you, then, gentlemen, who are charged with the sovereign functions of legislation, and to those associated with you, I look with encouragement for that guidance and support which may enable us to steer with safety the vessel in which we are all embarked amid the conflicting elements of a troubled world.

During the contest of opinion through which we have passed, the animation of discussion and of exertions has sometimes worn an aspect which might impose on strangers unused to think freely and to speak and to write what they think; but this being now decided by the voice of the nation, announced according to the rules of the constitution, all will, of course, arrange themselves under the will of the law, and unite in common efforts for the common good. All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression. Let us, then, fellow-citizens, unite with one heart

actual shore; that this should be more rename.

others; that this should divide opinions as to measures of sa explafference of opinion is not a difference of principle. We ov different names brethren of the same principle. We are al we are all federalists. If there be any among us who w o dissolve this Union or to change its republican form, let t undisturbed as monuments of the safety with which error of opi e tolerated where reason is left free to combat it. I know, ind ome honest men fear that a republican government can not be stre is government is not strong enough. But would the honest par full tide of successful experiment, abandon a government w ) far kept us free and firm, on the theoretic and visionary fear overnment, the world's best hope, may by possibility want energ rve itself? I trust not. I believe this, on the contrary, the stror mment on earth. I believe it the only one where every man, a t the laws, would fly to the standard of the law, and would ions of the public order as his own personal concern. Sometind that man can not be trusted with the government of himself. ien, be trusted with the government of others? Or have we f is in the forms of kings to govern him? Let history answer

et us, then, with courage and confidence pursue our own federe olican principles, our attachment to our union and representative ient. Kindly separated by nature and a wide ocean from the sting havoc of one quarter of the globe; too high-minded to e legradations of the others; possessing a chosen country, with igh for our descendants to the hundredth and thousandth gener reaining a due sense of our equal right to the use of our own to the acquisitions of our industry, to honor and confidence from-citizens, resulting not from birth but from our actions and ac of them; enlightened by a benign religion, professed, indee tised in various forms, yet all of them including honesty, truth mee, gratitude, and the love of man; acknowledging and ador ruling Providence, which by all its dispensations proves that is in the happiness of man here and his greater happiness her

understand what I deem the essential principles of our government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship, with all nations—entangling alliances with none; the support of the state governments in all their rights, as the most competent administrations for our domestic concerns and the surest bulwarks against anti-republican tendencies; the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad; a jealous care of the right of election by the people—a mild and safe corrective of abuses which are lopped by the sword of revolution where peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority—the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia—our best reliance in peace and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; the honest payment of our debts and sacred preservation of the public faith; encouragement of agriculture, and of commerce as its handmaid; the diffusion of information and the arraignment of all abuses at the bar of public reason: freedom of religion: freedom of the press: freedom of person under the protection of the habeas corpus; and trial by juries impartially selected—these principles form the bright constellation which has gone before us, and guided our steps through an age of revolution and reformation. The wisdom of our sages and the blood of our heroes have been devoted to their attainment. They should be the creed of our political faith—the text of civil instruction—the touchstone by which to try the services of those we trust; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety.

I repair, then, fellow-citizens, to the post you have assigned me. With experience enough in subordinate offices to have seen the difficulties of this, the greatest of all, I have learned to expect that it will rarely fall to the lot of imperfect man to retire from this station with the reputation and the favor which bring him into it. Without pretensions to that high confidence reposed in our first and great revolutionary character, whose preeminent services had entitled him to the first place in his country's love, and destined for him the fairest page in the volume of faithful history, I ask so much confidence only as may give firmness and effect to the legal administration of your affairs. I shall often go wrong through defect of When right, I shall often be thought wrong by those whose judgment. positions will not command a view of the whole ground. I ask your indulgence for my own errors, which will never be intentional; and your support against the errors of others, who may condemn what they would not if seen in all its parts. The approbation implied by your suffrage is a consolation to me for the past; and my future solicitude will be to retain the good opinion of those who have bestowed it in advance, to conciliate that of others by doing them all the good in my power, and to be instrumental to the happiness and freedom of all.

Relying, then, on the patronage of your good will, I advance with obedience to the work, ready to retire from it whenever you become sensible inconvenient the mode heretofore practised of making by possible first communication between the legislative and excepts. I have adopted that by message, as used on all subsequents through the session. In doing this, I have had principal to convenience of the legislature, to the economy of their time, to firom the embarrassment of immediate answers on subjects to before them, and to the benefits thence resulting to the public sting that a procedure founded in these motives will meet their on, I beg leave, through you, sir, to communicate the enclosed ment of the documents accompanying it, to the honorable the senation you to accept, for yourself and them, the homage of my high a consideration.

THOMAS JEFFERS

: Hon. the President of the Senate.

#### FIRST ANNUAL MESSAGE.

DECEMBER 8, 1801.

How-Citizens of the Senate and House of Representatives:—
It is a circumstance of sincere gratification to me, that on meet at council of our nation, I am able to announce to them, on grousonable certainty, that the wars and troubles which have for a ars afflicted our sister nations have at length come to an end, a communications of peace and commerce are once more opening and. While we devoutly return thanks to the beneficent Being ven pleased to breathe into them the spirit of conciliation and ss, we are bound with peculiar gratitude to be thankful to him an peace has been preserved through so perilous a season, and or mitted quietly to cultivate the earth and to practise and improve the which tend to increase our comforts. The assurances, incendly disposition, received from all the powers with whom ventual and have been disturbed. But a cessation of the irregularities

Among our Indian neighbors, also, a spirit of peace and friendship generally prevails; and I am happy to inform you that the continued efforts to introduce among them the implements and the practice of husbandry, and of the household arts, have not been without success; that they are becoming more and more sensible of the superiority of this dependence for clothing and subsistence over the precarious resources of hunting and fishing; and already we are able to announce, that instead of that constant diminution of their numbers, produced by their wars and their wants, some

of them begin to experience an increase of population.

To this state of general peace with which we have been blessed, one only exception exists. Tripoli, the least considerable of the Barbary states, had come forward with demands unfounded either in right or in compact. and had permitted itself to denounce war, on our failure to comply before a given day. The style of the demand admitted but one answer. I sent a small squadron of frigates into the Mediterranean, with assurances to that power of our sincere desire to remain in peace, but with orders to protect our commerce against the threatened attack. The measure was seasonable and salutary. The bey had already declared war in form. His cruisers were out. Two had arrived at Gibraltar. Our commerce in the Mediterranean was blockaded and that of the Atlantic in peril. The arrival of our squadron dispelled the danger. One of the Tripolitan cruisers having fallen in with and engaged the small schooner Enterprise, commanded by Lieutenant Sterret, which had gone as a tender to our larger vessels, was captured, after a heavy slaughter of her men, without the loss of a single one on our part. The bravery exhibited by our citizens on that element, will. I trust, be a testimony to the world that it is not the want of that virtue which makes us seek their peace, but a conscientious desire to direct the energies of our nation to the multiplication of the human race, and not to its destruction. Unauthorized by the constitution, without the sanction of Congress, to go beyond the line of defence, the vessel being disabled from committing further hostilities was liberated with its crew. The legislature will doubtless consider whether, by authorizing measures of offence also, they will place our force on an equal footing with that of its adversaries. I communicate all material information on this subject, that in the exercise of the important function confided by the constitution to the legislature exclusively, their judgment may form itself on a knowledge and consideration of every circumstance of weight.

I wish I could say that our situation with all the other Barbary states was entirely satisfactory. Discovering that some delays had taken place in the performance of certain articles stipulated by us, I thought it my duty, by immediate measures for fulfilling them, to vindicate to ourselves the right of considering the effect of departure from stipulation on their side. From the papers which will be laid before you, you will be enabled to judge whether our treaties are regarded by them as fixing at all the measure of their demands, or as guarding from the exercise of force our vessels within their power; and to consider how far it will be safe and expedient to leave our affairs with them in their present posture.

I lay before you the result of the census lately taken of our inhabitants, to a conformity with which we are to reduce the ensuing rates of representation and taxation. You will perceive that the increase of numbers during the last ten years, proceeding in geometrical ratio, promises a duplication in little more than twenty-two years. We contemplate this rapid

growth and the prospect it holds up to us, not with a view to the injuries it may enable us to do to others in some future day, but to the settlement of the extensive country still remaining vacant within our limits, to the multiplications of men susceptible of happiness, educated in the love of order, habituated to self-government, and valuing its blessings above all

price

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption, in a ratio far beyond that of population alone, and though the changes of foreign relations now taking place so desirably for the world may for a season affect this branch of revenue, yet weighing all probabilities of expense, as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes, comprehending excises, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of government, to pay the interest of the public debts, and to discharge the principals in shorter periods than the laws or the general expectation had contemplated. War, indeed, and untoward events, may change this prospect of things and call for expenses which the imposts could not meet: but sound principles will not justify our taxing the industry of our fellowcitizens to accumulate treasure for wars to happen we know not when, and which might not perhaps happen but from the temptations offered by that treasure.

These views, however, of reducing our burdens, are formed on the expectation that a sensible, and at the same time a salutary reduction, may take place in our habitual expenditures. For this purpose, those of the civil government, the army, and navy, will need revisal.

Considering the general tendency to multiply offices and dependencies, and to increase expense to the ultimate term of burden which the citizen can bear, it behooves us to avail ourselves of every occasion which presents itself for taking off the surcharge; that it never may be seen here that, after leaving to labor the smallest portion of its earnings on which it can subsist, government shall itself consume the residue of what it was instituted to guard.

In our care too of the public contributions intrusted to our direction, it would be prudent to multiply barriers against their dissipation, by appropriating specific sums to every specific purpose susceptible of definition; by disallowing all applications of money varying from the appropriation in object or transcending it in amount; by reducing the undefined field of contingencies, and thereby circumscribing discretionary powers over money; and by bringing back to a single department all accountabilities for money where the examination may be prompt, efficacious, and uniform.

An account of the receipts and expenditures of the last year, as prepared by the secretary of the treasury, will as usual be laid before you. The success which has attended the late sales of the public lands shows that with attention they may be made an important source of receipt. Among the payments, those made in discharge of the principal and interest of the national debt will show that the public faith has been exactly maintained. To these will be added an estimate of appropriations necessary for the ensuing year. This last will of course be effected by such modifications of the systems of expense as you shall think proper to adopt.

A statement has been formed by the secretary of war, on mature consideration, of all the posts and stations where garrisons will be expedient, and of the number of men requisite for each garrison. The whole amount is considerably short of the present military establishment. For the surplus no particular use can be pointed out. For defence against invasion their number is as nothing; nor is it conceived needful or safe that a standing army should be kept up in time of peace for that purpose. Uncertain as we must ever be of the particular point in our circumference where an enemy may choose to invade us, the only force which can be ready at every point and competent to oppose them, is the body of neighboring citizens as formed into a militia. On these, collected from the parts most convenient, in numbers proportioned to the invading foe, it is best to rely, not only to meet the first attack, but if it threatens to be permanent, to maintain the defence until regulars may be engaged to relieve them. These considerations render it important that we should at every session continue to amend the defects which from time to time show themselves in the laws for regulating the militia, until they are sufficiently perfect. Nor should we now or at any time separate, until we can say we have done everything for the militia which we could do were an enemy at our door.

The provisions of military stores on hand will be laid before you, that you may judge of the additions still requisite.

With respect to the extent to which our naval preparations should be carried, some difference of opinion may be expected to appear; but just attention to the circumstances of every part of the Union will doubtless reconcile all. A small force will probably continue to be wanted for actual service in the Mediterranean. Whatever annual sum beyond that you may think proper to appropriate to naval preparations, would perhaps be better employed in providing those articles which may be kept without

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waste or consumption, and be in readiness when any exigence calls them into use. Progress has been made, as will appear by papers now communicated, in providing materials for seventy-four-gun ships as directed

by law.

How far the authority given by the legislature for procuring and establishing sites for naval purposes has been perfectly understood and pursued in the execution, admits of some doubt. A statement of the expenses already incurred on that subject shall be laid before you. I have in certain cases suspended or slackened these expenditures, that the legislature might determine whether so many yards are necessary as have been contemplated. The works at this place are among those permitted to go on; and five of the seven frigates directed to be laid up have been brought and laid up here, where, besides the safety of their position, they are under the eye of the executive administration, as well as of its agents, and where yourselves also will be guided by your own view in the legislative provisions respecting them which may from time to time be necessary. They are preserved in such condition, as well the vessels as whatever belongs to them, as to be at all times ready for sea on a short warning. Two others are yet to be laid up so soon as they shall have received the repairs requisite to put them also into sound condition. As a superintending officer will be necessary at each yard, his duties and emoluments, hitherto fixed by the executive, will be a more proper subject for legislation. A communication will also be made of our progress in the execution of the law respecting the vessels directed to be sold.

The fortifications of our harbors, more or less advanced, present considerations of great difficulty. While some of them are on a scale sufficiently proportioned to the advantages of their position, to the efficacy of their protection, and the importance of the points within it, others are so

n protection, und

And while on the judiciary organization, it will be worthy your consideration, whether the protection of the inestimable institution of juries has been extended to all the cases involving the security of our persons and property. Their impartial selection also being essential to their value, we ought further to consider whether that is sufficiently secured in those states where they are named by a marshal depending on executive will, or des-

ignated by the court or by officers dependent on them.

I can not omit recommending a revisal of the laws on the subject of naturalization. Considering the ordinary chances of human life, a denial of citizenship under a residence of fourteen years is a denial to a great proportion of those who ask it, and controls a policy pursued from their first settlement by many of these states, and still believed of consequence to their prosperity. And shall we refuse the unhappy fugitives from distress that hospitality which the savages of the wilderness extended to our fathers arriving in this land? Shall oppressed humanity find no asylum on this globe? The constitution, indeed, has wisely provided that, for admission to certain offices of important trust, a residence shall be required sufficient to develop character and design. But might not the general character and capabilities of a citizen be safely communicated to every one manifesting a bonafide purpose of embarking his life and fortunes permanently with us? with restrictions, perhaps, to guard against the fraudulent usurpation of our flag; an abuse which brings so much embarrassment and loss on the genuine citizen, and so much danger to the nation of being involved in war, that no endeavor should be spared to detect and suppress it.

These, fellow-citizens, are the matters respecting the state of the nation which I have thought of importance to be submitted to your consideration at this time. Some others of less moment, or not yet ready for communication, will be the subject of separate messages. I am happy in this opportunity of committing the arduous affairs of our government to the collected wisdom of the Union. Nothing shall be wanting on my part to inform, as far as in my power, the legislative judgment, nor to carry that judgment into faithful execution. The prudence and temperance of your discussions will promote, within your own walls, that conciliation which so much befriends rational conclusion; and by its example will encourage among our constituents that progress of opinion which is tending to unite them in object and in will. That all should be satisfied with any one order of things is not to be expected, but I indulge the pleasing persuasion that the great body of our citizens will cordially concur in honest and disinterested efforts, which have for their object to preserve the general and state governments in their constitutional form and equilibrium; to maintain peace abroad, and order and obedience to the laws at home; to establish principles and practices of administration favorable to the security of liberty and property, and to reduce expenses to what is necessary for the

useful purposes of government.

# SECOND ANNUAL MESSAGE.

DECEMBER 15, 1802.

To the Senate and House of Representatives of the United States :-

When we assemble together, fellow-citizens, to consider the state of our beloved country, our just attentions are first drawn to those pleasing circumstances which mark the goodness of that Being from whose favor they flow, and the large measure of thankfulness we owe for his bounty. Another year has come around, and finds us still blessed with peace and friendship abroad; law, order, and religion, at home; good affection and harmony with our Indian neighbors; our burdens lightened, yet our income sufficient for the public wants, and the produce of the year great beyond example. These, fellow-citizens, are the circumstances under which we meet; and we remark with special satisfaction, those which, under the smiles of Providence, result from the skill, industry and order of our citizens, managing their own affairs in their own way and for their own use, unembarrassed by too much regulations, unoppressed by fiscal exactions.

On the restoration of peace in Europe, that portion of the general carrying trade which had fallen to our share during the war was abridged by the returning competition of the belligerent powers. This was to be expected, and was just. But in addition we find in some parts of Europe monopolizing discriminations, which in the form of duties tend effectually to prohibit the carrying thither our own produce in our own vessels. From existing amities, and a spirit of justice, it is hoped that friendly discussion will produce a fair and adequate reciprocity. But should false calculations of interest defeat our hope, it rests with the legislature to de-

the vessels already there. Subsequent information, however, has removed these apprehensions for the present. To secure our commerce in that sea with the smallest force competent, we have supposed it best to watch strictly the harbor of Tripoli. Still, however, the shallowness of their coast, and the want of smaller vessels on our part, has permitted some cruisers to escape unobserved; and to one of these an American vessel unfortunately fell a prey. The captain, one American seamen, and two others of color, remain prisoners with them unless exchanged under an agreement formerly made with the bashaw, to whom, on the faith of that, some of his captive subjects had been restored.

The convention with the state of Georgia has been ratified by their legislature, and a repurchase from the Creeks has been consequently made of a part of the Tallahassee county. In this purchase has been also comprehended part of the lands within the fork of Oconee and Oakmulgee rivers. The particulars of the contract will be laid before Congress so soon as they shall be in a state for communication.

In order to remove every ground of difference possible with our Indian neighbors, I have proceeded in the work of settling with them and marking the boundaries between us. That with the Choctaw nation is fixed in one part, and will be through the whole in a short time. The country to which their title had been extinguished before the revolution is sufficient to receive a very respectable population, which Congress will probably see the expediency of encouraging so soon as the limits shall be declared. We are to view this position as an outpost of the United States, surrounded by strong neighbors and distant from its support. An ohw far that monopoly which prevents population should here be guarded against, and actual habitation made a condition of the continuance of title, will be for your consideration. A prompt settlement, too, of all existing rights and claims within this territory presents itself as a preliminary operation.

In that part of the Indian territory which includes Vincennes, the lines settled with the neighboring tribes fix the extinction of their title at a breadth of twenty-four leagues from east to west, and about the same length, parallel with and including the Wabash. They have also ceded a tract of four miles square, including the salt springs near the mouth of the river.

In the department of finance it is with pleasure I inform you that the receipts of external duties for the last twelve months have exceeded those of any former year, and that the ratio of increase has been also greater than usual. This has enabled us to answer all the regular exigiencies of government, to pay from the treasury in one year upward of eight millions of dollars, principal and interest, of the public debt, exclusive of upward of one million paid by the sale of bank stock, and making in the whole a reduction of nearly five millions and a half of principal; and to have now in the treasury four millions and a half of dollars, which are in a course of application to a further discharge of debt and current demands. Experience, too, so far, authorizes us to believe, if no extraordinary event supervenes, and the expenses which will be actually incurred shall not be greater than were contemplated by Congress at their last session, that we shall not be disappointed in the expectations then formed. But nevertheless, as the effect of peace on the amount of duties is not yet fully ascertained, it is the more necessary to practise every useful economy, and to incur no expense which may be avoided without prejudice.

The collection of the internal taxes having been completed in some of

the states, the officers employed in it are of course out of commission. In others, they will be so shortly. But in a few, where the arrangement for the direct tax had been retarded, it will still be some time before the system is closed. It has not yet been thought necessary to employ the agent authorized by an act of the last session for transacting business in Europe relative to debts and loans. Nor have we used the power confided by the same act, of prolonging the foreign debts by reloans, and of redeeming, instead thereof, an equal sum of the domestic debt. Should, however, the difficulties of remittance on so large a scale render it necessary at any time, the power shall be executed, and the money thus unemployed abroad shall, in conformity with that law, be faithfully applied here in an equivalent extinction of domestic debt. When effects so salutary result from the plans you have already sanctioned, when merely by avoiding false objects of expense we are able, without a direct tax, without internal taxes, and without borrowing, to make large and effectual payments toward the discharge of our public debt and the emancipation of our posterity from that moral canker, it is an encouragement, fellow-citizens, of the highest order, to proceed as we have begun, in substituting economy for taxation, and in pursuing what is useful for a nation placed as we are, rather than what is practised by others under different circumstances. And whensoever we are destined to meet events which shall call forth all the energies of our countrymen, we have the firmest reliance on those energies, and the comfort of leaving for calls like these the extraordinary resources of loans and internal taxes. In the meantime, by payments of the principal of our debt, we are liberating, annually, portions of the external taxes, and forming from them a growing fund still further to lessen the necessity of recurring to extraordinary resources.

The usual accounts of receipts and expenditures for the last year, with

sume, if continued, a great portion of the money destined to naval purposes. To avoid this waste of our resources, it is proposed to add to our navy-vard here a dock, within which our vessels may be laid up dry and under cover from the sun. Under these circumstances experience proves that works of wood will remain scarcely at all affected by time. The great abundance of running water which this situation possesses, at heights far above the level of the tide, if employed as is practised for lock navigation, furnishes the means for raising and laying up our vessels on a dry and sheltered bed. And should the measure be found useful here, similar depositories for laying up as well as for building and repairing vessels may hereafter be undertaken at other navy-yards offering the same means. The plans and estimates of the work, prepared by a person of skill and experience, will be presented to you without delay; and from this it will be seen that scarcely more than has been the cost of one vessel is necessary to save the whole, and that the annual sum to be employed toward its completion may be adapted to the views of the legislature as to naval expenditure

To cultivate peace and maintain commerce and navigation in all their lawful enterprises; to foster our fisheries and nurseries of navigation and for the nurture of man, and protect the manufactures adapted to our circumstances; to preserve the faith of the nation by an exact discharge of its debts and contracts, expend the public money with the same care and economy we would practise with our own, and impose on our citizens no unnecessary burden; to keep in all things within the pale of our constitutional powers, and cherish the federal union as the only rock of safetythese, fellow-citizens, are the landmarks by which we are to guide ourselves in all our proceedings. By continuing to make these our rule of action, we shall endear to our countrymen the true principles of their constitution, and promote a union of sentiment and of action equally auspicious to their happiness and safety. On my part, you may count on a cordial concurrence in every measure for the public good, and on all the information I possess which may enable you to discharge to advantage the high functions with which you are invested by your country.

#### SPECIAL MESSAGE.

JANUARY 28, 1803.

Gentlemen of the Senate and House of Representatives:-

I LAY before you the accounts of our Indian trading houses, as rendered up to the first day of January, 1801, with a report of the secretary of war thereon, explaining the effects and the situation of that commerce, and the reasons in favor of its farther extension. But it is believed that the act authorizing this trade expired so long ago as the 3d of March, 1799. Its revival, therefore, as well as its extension, is submitted to the consideration of the legislature.

The act regulating trade and intercourse with the Indian tribes will also expire on the 3d day of March next. While on the subject of its continuance, it will be worthy the consideration of the legislature, whether the provisions of the law inflicting on Indians, in certain cases, the punish-

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ment of death by hanging, might not permit its commutation into death by military execution, the form of the punishment in the former way being peculiarly repugnant to their ideas, and increasing the obstacles to the surrender of the criminal.

These people are becoming very sensible of the baneful effects produced on their morals, their health and existence, by the abuse of ardent spirits, and some of them earnestly desire a prohibition of that article from being carried among them. The legislature will consider whether the effectuating that desire would not be in the spirit of benevolence and liberality which they have hitherto practised toward these our neighbors, and which has had so happy an effect toward conciliating their friendship. It has been found too, in experience, that the same abuse gives frequent rise to incidents tending much to commit our peace with the Indians.

It is now become necessary to run and mark the boundaries between them and us in various parts. The law last mentioned has authorized this to be done, but no existing appropriation meets the expense.

Certain papers, explanatory of the grounds of this communication, are herewith enclosed.

# SPECIAL MESSAGE.

FEBRUARY 2, 1803.

Gentlemen of the Senate and House of Representatives:-

I LAY before you a report of the secretary of state on the case of the

Congress witnessed, at their last session, the extraordinary agitation produced in the public mind by the suspension of our right of deposite at the port of New Orleans, no assignment of another place having been made according to treaty. They were sensible that the continuance of that privation would be more injurious to our nation than any consequences which could flow from any mode of redress, but reposing just confidence in the good faith of the government whose officer had committed the wrong, friendly and reasonable representations were resorted to, and

the right of deposite was restored.

Previous, however, to this period, we had not been unaware of the danger to which our peace would be perpetually exposed while so important a key to the commerce of the western country remained under foreign power. Difficulties, too, were presenting themselves as to the navigation of other streams, which, arising within our territories, pass through those adjacent. Propositions had, therefore, been authorized for obtaining, on fair conditions, the sovereignty of New Orleans, and of other possessions in that quarter interesting to our quiet, to such extent as was deemed practicable; and the provisional appropriation of two millions of dollars, to be applied and accounted for by the president of the United States, intended as part of the price, was considered as conveying the sanction of Congress to the acquisition proposed. The enlightened government of France saw, with just discernment, the importance to both nations of such liberal arrangements as might best and permanently promote the peace, friendship, and interests of both; and the property and sovereignty of all Louisiana, which had been restored to them, have on certain conditions been transferred to the United States by instruments bearing date the 30th of April When these shall have received the constitutional sanction of the senate, they will without delay be communicated to the representatives also, for the exercise of their functions, as to those conditions which are within the powers vested by the constitution in Congress. While the property and sovereignty of the Mississippi and its waters secure an independent outlet for the produce of the western states and an uncontrolled navigation through their whole course, free from collision with other powers and the dangers to our peace from that source, the fertility of the country, its climate and extent, promise in due season important aids to our treasury, an ample provision for our posterity, and a wide-spread field for the blessings of freedom and equal laws.

With the wisdom of Congress it will rest to take those ulterior measures which may be necessary for the immediate occupation and temporary government of the country; for its incorporation into our Union; for rendering the change of government a blessing to our newly-adopted brethren; for securing to them the rights of conscience and of property; for confirming to the Indian inhabitants their occupancy and self-government, establishing friendly and commercial relations with them and for ascertaining the geography of the country acquired. Such materials for your information, relative to its affairs in general, as the short space of time has permitted me to collect, will be laid before you when the subject shall be in a state for your consideration.

Another important acquisition of territory has also been made since the last session of Congress. The friendly tribe of Kaskaskia Indians with which we have never had a difference, reduced by the wars and wants of savage life to a few individuals unable to defend themselves against the neighboring tribes, has transferred its country to the United States, re-

serving only for its members what is sufficient to maintain them in an agricultural way. The considerations stipulated are, that we shall extend to them our patronage and protection, and give them certain annual aids in money, in implements of agriculture, and other articles of their choice. This country, among the most fertile within our limits, extending along the Mississippi from the mouth of the Illinois to and up the Ohio, though not so necessary as a barrier since the acquisition of the other bank, may vet be well worthy of being laid open to immediate settlement, as its inhabitants may descend with rapidity in support of the lower country should future circumstances expose that to foreign enterprise. As the stipulations in this treaty also involve matters within the competence of both houses only, it will be laid before Congress as soon as the senate shall have advised its ratification.

With many of the other Indian tribes, improvements in agriculture and household manufacture are advancing, and with all our peace and friendship are established on grounds much firmer than heretofore. The measure adopted of establishing trading houses among them, and of furnishing them necessaries in exchange for their commodities at such moderated prices as leave no gain, but cover us from loss, has the most conciliatory and useful effect upon them, and is that which will best secure their peace

and good will.

The small vessels authorized by Congress with a view to the Mediterranean service have been sent into that sea, and will be able more effectually to confine the Tripoline cruisers within their harbors and supersede the necessity of convoy to our commerce in that quarter. They will sensibly lessen the expenses of that service the ensuing year.

A further knowledge of the ground in the northeastern and northwestern angles of the United States has evinced that the boundaries established by to see of Darie Laterana the Duitich temptodox and over in the

under the power and accountability of the president, toward the price of New Orleans and other territories acquired, which remaining untouched, are still applicable to that object and go in diminution of the sum to be funded for it.

Should the acquisition of Louisiana be constitutionally confirmed and carried into effect, a sum of nearly thirteen millions of dollars will then be added to our public debt, most of which is payable after fifteen years; before which term the present existing debts will all be discharged by the established operation of the sinking fund. When we contemplate the ordinary annual augmentation of imposts from increasing population and wealth, the augmentation of the same revenue by its extension to the new acquisition, and the economies which may still be introduced into our public expenditures, I can not but hope that Congress in reviewing their resources will find means to meet the intermediate interest of this additional debt without recurring to new taxes, and applying to this object only the ordinary progression of our revenue. Its extraordinary increase in times of foreign war will be the proper and sufficient fund for any measures of safety or precaution which that state of things may render necessary in our neutral position.

Remittances for the instalments of our foreign debt having been found practicable without loss, it has not been thought expedient to use the power given by a former act of Congress of continuing them by reloans, and of redeeming instead thereof equal sums of domestic debt, although no difficulty was found in obtaining that accommodation.

The sum of fifty thousand dollars appropriated by Congress for providing gun-boats remains unexpended. The favorable and peaceful turn of affairs on the Mississippi rendered an immediate execution of that law unnecessary, and time was desirable in order that the institution of that branch of our force might begin on models the most approved by experience. The same issue of events dispensed with a resort to the appropriation of a million and a half of dollars contemplated for purposes which

were effected by happier means. We have seen with sincere concern the flames of war lighted up again in Europe, and nations with which we have the most friendly and useful relations engaged in mutual destruction. While we regret the miseries in which we see others involved, let us bow with gratitude to that kind Providence which, inspiring with wisdom and moderation our late legislative councils while placed under the urgency of the greatest wrongs, guarded us from hastily entering into the sanguinary contest, and left us only to look on and to pity its ravages. These will be heaviest on those immediately engaged. Yet the nations pursuing peace will not be exempt from all evil. In the course of this conflict, let it be our endeavor, as it is our interest and desire, to cultivate the friendship of the belligerent nations by every act of justice and of innocent kindness; to receive their armed vessels with hospitality from the distresses of the sea, but to administer the means of annoyance to none; to establish in our harbors such a police as may maintain law and order; to restrain our citizens from embarking individually in a war in which their country takes no part; to punish severely those persons, citizen or alien, who shall usurp the cover of our flag for vessels not entitled to it, infecting thereby with suspicion those of real Americans, and committing us into controversies for the redress of wrongs not our own; to exact from every nation the observance, toward our vessels and citizens, of those principles and practices which all civilized people acknowledge; to merit the character of a just nation, and maintain that of an independent one, preferring every consequence to insult and habitual wrong. Congress will consider whether the existing laws enable us efficaciously to maintain this course with our citizens in all places, and with others while within the limits of our jurisdiction, and will give them the new modifications necessary for these objects. Some contraventions of right have already taken place, both within our jurisdictional limits and on the high seas. The friendly disposition of the governments from whose agents they have proceeded, as well as their wisdom and regard for justice, leave us in reasonable expectation that they will be rectified and prevented in future; and that no act will be countenanced by them which threatens to disturb our friendly intercourse. Separated by a wide ocean from the nations of Europe, and from the political interests which entangle them together, with productions and wants which render our commerce and friendship useful to them and theirs to us, it can not be the interest of any to assail us, nor ours to disturb them. We should be most unwise, indeed, were we to cast away the singular blessings of the position in which nature has placed us, the opportunity she has endowed us with of pursuing, at a distance from foreign contentions, the paths of industry, peace, and happiness; of cultivating general friendship, and of bringing collisions of interest to the umpirage of reason rather than of force. How desirable then must it be, in a government like ours, to see its citizens adopt individually the views, the interests, and the conduct which their country should pursue, divesting themselves of those passions and partialities which tend to lessen useful friendships, and to embarrass and embroil us in the calamitous scenes of Europe. Confident, fellow-citizens, that you will duly estimate the importance of neutral dispositions toward the observance of neutral conduct, that you will be sensible how much it



but with the aid of the legislature; and that time presses a decision on them without delay.

The ulterior provisions, also suggested in the same communication, for the occupation and government of the country, will call for early attention. Such information relative to its government, as time and distance have enabled me to obtain, will be ready to be laid before you within a few days. But, as permanent arrangements for this object may require time and deliberation, it is for your consideration whether you will not, forthwith, make such temporary provisions for the preservation, in the meanwhile, of order and tranquillity in the country, as the case may require.

#### SPECIAL MESSAGE.

# November 4, 1803.

To the Senate and House of Representatives of the United States:-

By the copy now communicated of a letter from Captain Bainbridge of the Philadelphia frigate, to our consul at Gibraltar, you will learn that an act of hostility has been committed on a merchant-vessel of the United States by an armed ship of the emperor of Morocco. This conduct on the part of that power is without cause and without explanation. It is fortunate that Captain Bainbridge fell in with and took the capturing vessel and her prize; and I have the satisfaction to inform you, that about the date of this transaction such a force would be arriving in the neighborhood of Gibraltar, both from the east and the west, as leaves less to be feared for our commerce from the suddenness of the aggression.

On the 4th of September, the Constitution frigate, Captain Preble, with Mr. Lear on board, was within two days' sail of Gibraltar, where the Philadelphia would then be arrived with her prize, and such explanations would probably be instituted as the state of things required, and as might

perhaps arrest the progress of hostilities.

In the meanwhile it is for Congress to consider the provisional authorities which may be necessary to restrain the depredations of this power, should they be continued.

#### SPECIAL MESSAGE.

November 25, 1803.

To the Senate and House of Representatives of the United States:-

THE treaty with the Kaskaskia Indians being ratified with the advice and consent of the senate, it is now laid before both houses, in their legislative capacity. It will inform them of the obligations which the United States thereby contract, and particularly that of taking the tribe under their future protection; and that the ceded country is submitted to their immediate possession and disposal.

# SPECIAL MESSAGE.

te and House of Representatives of the United States: he satisfaction to inform you that the act of hostility mentioned he satisfaction to inform you that the act of hostility mentioned by a saage of the 4th of November to have been committed by a stage of the 4th of November to have been committed by a the emperor of Morocco on a vessel of the United States, has the emperor of Morocco on a vessel of the United States, has vowed by the emperor. All differences in consequence this country amicably adjusted, and the treaty of 1786, between the amicably adjusted, and confirmed by the emperor each party has been recomined and confirmed by the emperor. n amicably adjusted, and the treaty of 1786, between this coun-hat, has been recognised and confirmed by the emperor, each party hat, has been recognised and confirmed by the emperor, each party
to the other what had been detained or taken. I enclose the
test orders given on this occasion.
The orders given of our officers generally who have had a part in these r's orders given on this occasion.

conduct of our officers generally, who have had a part in these times has merited entire enprehense. conduct of our officers generally, who have had a part in these cious, has merited entire approbation.

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yielded by them for the public accommodation.

SPECIAL MESSAGE.

and House of Representatives of the United States: of the present session of Congress for taking us by France, and for the temporary Mississippi territory, and ive possession. ers heretofore exercised by the governor and intendant of Louisiana, assumed the government on the same day, and for the maintenance of law and order, immediately issued the proclamation and address now commuicated.

On this important acquisition, so favorable to the immediate interests of our western citizens, so auspicious to the peace and security of the nation in general, which adds to our country territories so extensive and fertile, and to our citizens new brethren to partake of the blessings of freedom and self-government, I offer to Congress and the country, my sincere congratulations.

## SPECIAL MESSAGE.

MARCH 20, 1804.

To the Senate and House of Representatives of the United States:-

I COMMUNICATE to Congress, a letter received from Captain Bainbridge, commander of the Philadelphia frigate, informing us of the wreck of that vessel on the coast of Tripoli, and that himself, his officers, and men, had fallen into the hands of the Tripolitans. This accident renders it expedient to increase our force, and enlarge our expenses in the Mediterranean beyond what the last appropriation for the naval service contemplated. I recommend, therefore, to the consideration of Congress, such an addition to that appropriation as they may think the exigency requires.

#### FOURTH ANNUAL MESSAGE.

NOVEMBER 8, 1804.

To the Senate and House of Representatives of the United States:-

To a people, fellow-citizens, who sincerely desire the happiness and prosperity of other nations; to those who justly calculate that their own well-being is advanced by that of the nations with which they have intercourse, it will be a satisfaction to observe that the war which was lighted up in Europe a little before our last meeting has not yet extended its flames to other nations, nor been marked by the calamities which sometimes stain the footsteps of war. The irregularities too on the ocean, which generally harass the commerce of neutral nations have, in distant parts, disturbed ours less than on former occasions. But in the American seas they have been greater from peculiar causes; and even within our harbors and jurisdiction, infringements on the authority of the laws have been committed which have called for serious attention. The friendly conduct of the governments from whose officers and subjects these acts have proceeded, in other respects and in places more under their observation and control, gives us confidence that our representations on this subject will have been properly regarded.

While noticing the irregularities committed on the ocean by others, those on our own part should not be omitted nor left unprovided for.

Complaints have been received that persons residing within the United States have taken on themselves to arm merchant vessels, and to force a commerce into certain ports and countries in defiance of the laws of those countries. That individuals should undertake to wage private war, independently of the authority of their country, can not be permitted in a well-ordered society. Its tendency to produce aggression on the laws and rights of other nations, and to endanger the peace of our own is so obvious, that I doubt not you will adopt measures for restraining it effectually in future.

Soon after the passage of the act of the last session, authorizing the establishment of a district and port of entry on the waters of the Mobile, we learnt that its object was misunderstood on the part of Spain. Candid explanations were immediately given, and assurances that, reserving our claims in that quarter as a subject of discussion and arrangement with Spain, no act was meditated, in the meantime, inconsistent with the peace and friendship existing between the two nations, and that conformably to these intentions would be the execution of the law. That government had, however, thought proper to suspend the ratification of the convention of 1802. But the explanations which would reach them soon after, and still more, the confirmation of them by the tenor of the instrument establishing the port and district, may reasonably be expected to replace them in the dispositions and views of the whole subject which originally dictated the conviction.

I have the satisfaction to inform you that the objections which had been urged by that government against the validity of our title to the country of Louisiana have been withdrawn, its exact limits, however, remaining still to be settled between us. And to this is to be added that, having prepared and delivered the stock created in execution of the convention of Paris,



Peace and intercourse with the other powers on the same coast continue on the footing on which they are established by treaty.

In pursuance of the act providing for the temporary government of Louisiana, the necessary officers for the territory of Orleans were appointed in due time, to commence the exercise of their functions on the first day of October. The distance, however, of some of them, and indispensable previous arrangements, may have retarded its commencement in some of its parts; the form of government thus provided having been considered but as temporary, and open to such future improvements as further information of the circumstances of our brethren there might suggest, it will of course be subject to your consideration.

In the district of Louisiana it has been thought best to adopt the division into subordinate districts which had been established under its former government. These being five in number, a commanding officer has been appointed to each, according to the provision of the law, and so soon as they can be at their station, that district will also be in its due state of organization; in the meantime, their places are supplied by the officers before commanding there. The functions of the governor and judges of Indiana have commenced; the government we presume is proceeding in its new form. The lead mines in that district offer so rich a supply of that metal as to merit attention. The report now communicated will inform you of their state, and of the necessity of immediate inquiry into their occupation and titles.

With the Indian tribes established within our newly-acquired limits, I have deemed it necessary to open conferences for the purpose of establishing a good understanding and neighborly relations between us. So far as we have yet learned, we have reason to believe that their dispositions are generally favorable and friendly; and with these dispositions on their part, we have in our own hands means which can not fail us for preserving their peace and friendship. By pursuing a uniform course of justice toward them, by aiding them in all the improvements which may better their condition, and especially by establishing a commerce on terms which shall be advantageous to them and only not losing to us, and so regulated as that no incendiaries of our own or any other nation may be permitted to disturb the natural effects of our just and friendly offices, we may render ourselves so necessary to their comfort and prosperity, that the protection of our citizens from their disorderly members will become their interest and their voluntary care. Instead, therefore, of an augmentation of military force proportioned to our extension of frontier, I proposed a moderate enlargement of the capital employed in that commerce, as a more effectual, economical, and humane instrument for preserving peace and good neighborhood with them.

On this side the Mississippi an important relinquishment of native title has been received from the Delawares. That tribe, desiring to extinguish in their people the spirit of hunting, and to convert superfluous lands into the means of improving what they retain, have ceded to us all the country between the Wabash and the Ohio, south of and including the road from the rapids toward Vincennes, for which they are to receive annuities in animals and implements for agriculture, and in other necessaries. This acquisition is important, not only for its extent and fertility, but as fronting three hundred miles on the Ohio, and near half that on the Wabash; the produce of the settled countries descending those rivers will no longer pass in review of the Indian frontier but in a small portion, and with the

provincu ior.

onstruction offer for our seaport towns: their utility toward se colum our waters the authority of the laws; the promptness they will be manned by the seamen and militia of the pla at they are wanting; the facility of their assembling from di of the coast to any point where they are required in greater ordinary; the economy of their maintenance and preservation when not in actual service; and the competence of our finan defensive provision, without any new burden, are considerations have due weight with Congress in deciding on the expediency to their number from year to year, as experience shall test their all our important harbors, by these and auxiliary means, sh red against insult and opposition to the laws. o circumstance has arisen since your last session which calls f nentation of our regular military force. Should any improv ir in the militia system, that will be always seasonable. ccounts of the receipts and expenditures of the last year, wit es for the ensuing one, will as usual be laid before you. he state of our finances continue to fulfil our expectations. ions and a half of dollars, received in the course of the year he 30th of September last, have enabled us, after meeting all iry expenses of the year, to pay upward of \$3,600,000 of the t, exclusive of interest. This payment, with those of the tr ing years, has extinguished upward of twelve millions of the pr a greater sum of interest, within that period; and by a prop ninution of interest renders already sensible the effect of the n yearly applicable to the discharge of the principal. It is also ascertained that the revenue accrued during the last v eds that of the preceding; and the probable receipts of the ar may safely be relied on as sufficient, with the sum alread asury, to meet all the current demands of the year, to discharge three millions and a half of the engagements incurred under t and French conventions, and to advance in the farther redem funded debts as rapidly as had been contemplated. These

izens, are the principal matters which I have thought it nece 12 communicate for your consideration and attention. S

parts; in fine, whether anything can be done to advance the general good, are questions within the limits of your functions which will necessarily occupy your attention. In these and other matters which you in your wisdom may propose for the good of our country, you may count with assurance on my hearty co-operation and faithful execution.

#### SECOND INAUGURAL ADDRESS.

MARCH 4, 1805.

PROCEEDING, fellow-citizens, to that qualification which the constitution requires, before my entrance on the charge again conferred on me, it is my duty to express the deep sense I entertain of this new proof of confidence from my fellow-citizens at large, and the zeal with which it inspires me, so to conduct myself as may best satisfy their just expectations.

On taking this station on a former occasion, I declared the principles on which I believed it my duty to administer the affairs of our commonwealth. My conscience tells me that I have, on every occasion, acted up to that declaration, according to its obvious import, and to the understand-

ing of every candid mind.

In the transaction of your foreign affairs, we have endeavored to cultivate the friendship of all nations, and especially of those with which we have the most important relations. We have done them justice on all occasions, favored where favor was lawful, and cherished mutual interests and intercourse on fair and equal terms. We are firmly convinced, and we act on that conviction, that with nations, as with individuals, our interests soundly calculated will ever be found inseparable from our moral duties; and history bears witness to the fact, that a just nation is trusted on its word, when resource is had to armaments and wars to bridle others.

At home, fellow-citizens, you best know whether we have done well or ill. The suppression of unnecessary offices, of useless establishments and expenses, enabled us to discontinue our internal taxes. These covering our land with officers, and opening our doors to their intrusions, had already begun that process of domiciliary vexation, which, once entered, is scarcely to be restrained from reaching successively every article of produce and property. If among these taxes some minor ones fell which had not been inconvenient, it was because their amount would not have paid the officers who collected them, and because, if they had any merit, the state authorities might adopt them, instead of others less approved.

The remaining revenue on the consumption of foreign articles, is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts, being collected on our seaboard and frontiers only, and incorporated with the transactions of our mercantile citizens, it may be the pleasure and the pride of an American to ask, what farmer, what mechanic, what laborer, ever sees a taxgatherer of the United States? These contributions enable us to support the current expenses of the government, to fulfil contracts with foreign nations, to extinguish the native right of soil within

our limits, to extend those limits, and to apply such a surplus to our public debts, as places at a short day their final redemption, and that redemption once effected, the revenue thereby liberated may, by a just repartition among the states, and a corresponding amendment of the constitution, be applied, in time of peace, to rivers, canals, roads, arts, manufactures, education, and other great objects within each state. In time of war, if injustice, by ourselves or others, must sometimes produce war, increased as the same revenue will be increased by population and consumption, and aided by other resources reserved for that crisis, it may meet within the year all the expenses of the year, without encroaching on the rights of future generations by burdening them with the debts of the past. War will then be but a suspension of useful works, and a return to a state of peace, a return to the progress of improvement.

I have said, fellow-citizens, that the income reserved had enabled us to extend our limits; but that extension may possibly pay for itself before we are called on, and in the meantime, may keep down the accruing interest; in all events, it will repay the advances we have made. I know that the acquisition of Louisiana has been disapproved by some, from a candid apprehension that the enlargement of our territory would endanger its union. But who can limit the extent to which the federative principle may operate effectively? The larger our association, the less will it be shaken by local passions; and in any view, is it not better that the opposite bank of the Mississippi should be settled by our own brethren and children, than by strangers of another family? With which shall we be most likely to live

in harmony and friendly intercourse?

In matters of religion, I have considered that its free exercise is placed by the constitution independent of the powers of the general government. I have therefore undertaken, on no occasion, to prescribe the religious exinterested and crafty individuals among them, who feel themselves something in the present order of things, and fear to become nothing in any These persons inculcate a sanctimonious reverence for the customs of their ancestors; that whatsoever they did, must be done through all time; that reason is a false guide, and to advance under its counsel, in their physical, moral, or political condition, is perilous innovation; that their duty is to remain as their Creator made them, ignorance being safety, and knowledge full of danger; in short, my friends, among them is seen the action and counteraction of good sense and bigotry: they too have their anti-philosophers, who find an interest in keeping things in their present state, who dread reformation, and exert all their faculties to maintain the ascendency of habit over the duty of improving our reason and obeving its mandates.

In giving these outlines, I do not mean, fellow-citizens, to arrogate to myself the merit of the measures; that is due, in the first place, to the reflecting character of our citizens at large, who, by the weight of public opinion, influence and strengthen the public measures; it is due to the sound discretion with which they select from among themselves those to whom they confide the legislative duties; it is due to the zeal and wisdom of the characters thus selected, who lay the foundations of public happiness in wholesome laws, the execution of which alone remains for others; and it is due to the able and faithful auxiliaries, whose patriotism has asso-

ciated with me in the executive functions.

During this course of administration, and in order to disturb it, the artillery of the press has been levelled against us, charged with whatsoever its licentiousness could devise or dare. These abuses of an institution so important to freedom and science, are deeply to be regretted, inasmuch as they tend to lessen its usefulness, and to sap its safety; they might, indeed, have been corrected by the wholesome punishments reserved and provided by the laws of the several states against falsehood and defamation; but public duties more urgent press on the time of public servants, and the offenders have therefore been left to find their punishment in the public indignation.

Nor was it uninteresting to the world, that an experiment should be fairly and fully made, whether freedom of discussion, unaided by power, is not sufficient for the propagation and protection of truth-whether a government, conducting itself in the true spirit of its constitution, with zeal and purity, and doing no act which it would be unwilling the whole world should witness, can be written down by falsehood and defamation. The experiment has been tried; you have witnessed the scene; our fellowcitizens have looked on, cool and collected; they saw the latent source from which these outrages proceeded; they gathered around their public functionaries, and when the constitution called them to the decision by suffrage, they pronounced their verdict, honorable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs.

No inference is here intended, that the laws, provided by the state against false and defamatory publications, should not be enforced; he who has time, renders a service to public morals and public tranquillity, in reforming these abuses by the salutary coercions of the law; but the experiment is noted, to prove that, since truth and reason have maintained their ground against false opinions in league with false facts, the press, confined to truth, needs no other legal restraint; the public judgment will correct false reasonings and opinions, on a full hearing of all parties; and no other definite line can be drawn between the inestimable liberty of the press and its demoralizing licentiousness. If there be still improprieties which this rule would not restrain, its supplement must be sought in the

censorship of public opinion.

Contemplating the union of sentiment now manifested so generally, as auguring harmony and happiness to our future course, I offer to our country sincere congratulations. With those, too, not yet rallied to the same point, the disposition to do so is gaining strength; facts are piercing through the veil drawn over them; and our doubting brethren will at length see, that the mass of their fellow-citizens, with whom they can not yet resolve to act, as to principles and measures, think as they think, and desire what they desire; that our wish, as well as theirs, is, that the public efforts may be directed honestly to the public good, that peace be cultivated, civil and religious liberty unassailed, law and order preserved, equality of rights maintained, and that state of property, equal or unequal, which results to every man from his own industry, or that of his fathers. When satisfied of these views, it is not in human nature that they should not approve and support them; in the meantime, let us cherish them with patient affection; let us do them justice, and more than justice, in all competitions of interest; and we need not doubt that truth, reason, and their own interests, will at length prevail, will gather them into the fold of their country, and will complete their entire union of opinion, which gives to a nation the blessing of harmony, and the benefit of all its strength.

I shall now enter on the duties to which my fellow-citizens have again called me, and shall proceed in the spirit of those principles which they have approved. I fear not that any motives of interest may lead me

#### FIFTH ANNUAL MESSAGE.

#### DECEMBER 3, 1805.

To the Senate and House of Representatives of the United States:-

At a moment when the nations of Europe are in commotion and arming against each other, and when those with whom we have principal intercourse are engaged in the general contest, and when the countenance of some of them toward our peaceable country threatens that even that may not be unaffected by what is passing on the general theatre, a meeting of the representatives of the nation in both houses of Congress has become more than usually desirable. Coming from every section of our country, they bring with them the sentiments and the information of the whole, and will be enabled to give a direction to the public affairs which the will and the wisdom of the whole will approve and support.

In taking a view of the state of our country, we in the first place notice the late affliction of two of our cities under the fatal fever which in latter times has occasionally visited our shores. Providence in his goodness gave it an early termination on this occasion, and lessened the number of victims which have usually fallen before it. In the course of the several visitations by this disease it has appeared, that it is strictly local; incident to the cities and on the tide waters only; incommunicable in the country, either by persons under the disease or by goods carried from diseased places; that its access is with the autumn, and that it disappears with the early frosts. These restrictions within narrow limits of time and space give security even to our maritime cities during three fourths of the year, and to the country always. Although from these facts it appears unnecessary, yet to satisfy the fears of foreign nations, and cautions on their part not to be complained of in a danger whose limits are vet unknown to them. I have strictly enjoined on the officers at the head of the customs to certify with exact truth for every vessel sailing for a foreign port, the state of health respecting this fever which prevails at the place from which she sails. Under every motive from character and duty to certify the truth, I have no doubt they have faithfully executed this injunction. Much real injury has, however, been sustained, from a propensity to identify with this epidemic, and to call by the same name, fevers of very different kinds, which have been known at all times and in all countries and never have been placed among those deemed contagious. As we advance in our knowledge of this disease, as facts develop the source from which individuals receive it, the state authorities charged with the care of the public health, and Congress with that of the general commerce, will become able to regulate with effect their respective functions in these departments. The burden of quarantines is felt at home as well as abroad; their efficacy merits examination. Although the health laws of the states

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should be found to need no present revisal by Congress, yet commerce claims that their attention be ever awake to them.

Since our last meeting the aspect of our foreign relations has considerably changed. Our coasts have been infested and our harbors watched by private armed vessels, some of them without commissions, some with illegal commissions, others with those of legal form but committing piratical acts beyond the authority of their commissions. They have captured in the very entrance of our harbors, as well as on the high seas, not only the vessels of our friends coming to trade with us but our own also. They have carried them off under pretence of legal adjudication, but not daring to approach a court of justice, they have plundered and sunk them by the way, or in obscure places where no evidence could arise against them; maltreated the crews, and abandoned them in boats in the open sea or on desert shores without food or covering. These enormities appearing to be unreached by any control of their sovereigns, I found it necessary to equip a force to cruise within our own seas, to arrest all vessels of these descriptions found hovering on our coast within the limits of the Gulf Stream, and to bring the offenders in for trial as pirates.

The same system of hovering on our coasts and harbors under color of seeking enemies has been also carried on by public armed ships, to the great annoyance and oppression of our commerce. New principles, too, have been interpolated into the law of nations, founded neither in justice nor the usage or acknowledgment of nations. According to these, a belligerent takes to himself a commerce with its own enemy which it denies to a neutral on the ground of its aiding that enemy in the war. But reason revolts at such an inconsistency, and the neutral having equal right with the belligerent to decide the question, the interest of our constituents and the duty of maintaining the authority of reason, the only umpire between just nations, impose on us the obligation of providing an effectual

similar aggressions in future. Other details, necessary for your full information of the state of things between this country and that, shall be the subject of another communication.

In reviewing these injuries from some of the belligerent powers, the moderation, the firmness, and the wisdom of the legislature will be all called into action. We ought still, to hope that time and a more correct estimate of interest, as well as of character, will produce the justice we are bound to expect. But should any nation deceive itself by false calculations, and disappoint that expectation, we must join in the unprofitable contest of trying which party can do the other the most harm. Some of these injuries may perhaps admit a peaceable remedy. Where that is competent it is always the most desirable. But some of them are of a nature to be met by force only, and all of them may lead to it. I can not, therefore, but recommend such preparations as circumstances call for. The first object is to place our seaport towns out of the danger of insult. Measures have been already taken for furnishing them with heavy cannon for the service of such land batteries as may make a part of their defence against armed vessels approaching them. In aid of these it is desirable that we should have a competent number of gun-boats; and the number, to be competent. must be considerable. If immediately begun, they may be in readiness for service at the opening of the next season. Whether it will be necessary to augment our land forces will be decided by occurrences probably in the course of your session. In the meantime, you will consider whether it would not be expedient, for a state of peace as well as of war, so to organize or class the militia as would enable us, on a sudden emergency, to call for the services of the younger portions, unencumbered with the old and those having families. Upward of three hundred thousand able-bodied men, between the ages of eighteen and twenty-six years, which the last census shows we may now count within our limits, will furnish a competent number for offence or defence in any point where they may be wanted, and will give time for raising regular forces after the necessity of them shall become certain; and the reducing to the early period of life all its active service can not but be desirable to our younger citizens, of the present as well as future times, inasmuch as it engages to them in more advanced age a quiet and undisturbed repose in the bosom of their families. I can not, then, but earnestly recommend to your early consideration the expediency of so modifying our militia system as, by a separation of the more active part from that which is less so, we may draw from it, when necessary, an efficient corps fit for real and active service, and to be called to it in regular rotation.

Considerable provision has been made, under former authorities from Congress, of materials for the construction of ships-of-war of seventy-four guns. These materials are on hand, subject to the further will of the legis-

lature.

An immediate prohibition of the exportation of arms and ammunition is

also submitted to your determination.

Turning from these unpleasant views of violence and wrong, I congratulate you on the liberation of our fellow-citizens who were stranded on the coast of Tripoli and made prisoners-of-war. In a government bottomed on the will of all, the life and liberty of every individual citizen become interesting to all. In the treaty, therefore, which has concluded our warfare with that state, an article for the ransom of our citizens has been agreed to. An operation by land, by a small band of our countrymen, and others—engaged for the occasion, in conjunction with the troops of the ex-bashaw of that country, gallantly conducted by our late consul Eaton, and their successful enterprise on the city of Derne, contributed, doubtless, to the impression which produced peace; and the conclusion of this prevented opportunities of which the officers and men of our squadron destined for Tripoli would have availed themselves, to emulate the acts of valor exhibited by their brethren in the attack of the last year. Reflecting with high satisfaction on the distinguished bravery displayed whenever occasion permitted in the Mediterranean service, I think it would be a useful encouragement, as well as a just reward, to make an opening for some present promotion by enlarging our peace establishment of captains and lieutenants.

With Tunis some misunderstandings have arisen, not yet sufficiently explained, but friendly discussions with their ambassador recently arrived, and a mutual disposition to do whatever is just and reasonable, can not fail of dissipating these; so that we may consider our peace on that coast, generally, to be on as sound a footing as it has been at any preceding time. Still it will not be expedient to withdraw, immediately, the whole of our force from that sea.

The law for providing a naval peace establishment fixes the number of frigates which shall be kept in constant service in time of peace, and prescribes that they shall not be manned by more than two thirds of their complement of seamen and ordinary seamen. Whether a frigate may be trusted to two thirds only of her proper complement of men must depend on the nature of the service on which she is ordered; that may sometimes, for her safety as well as to insure her object, require her fullest complement. In adverting to this subject, Congress will perhaps consider whether the best limitation on the executive discretion in this case would not be by the number of seamen which may be employed in the whole

settled and settling on its extensive waters. The purchase from the Creeks too has been for some time particularly interesting to the state of Georgia.

The several treaties which have been mentioned will be submitted to both houses of Congress for the exercise of their respective functions.

Deputations now on their way to the seat of government, from various nations of Indians inhabiting the Missouri and other parts beyond the Mississippi, come charged with the assurances of their satisfaction with the new relations in which they are placed with us, of their disposition to cultivate our peace and friendship, and their desire to enter into commercial intercourse with us. A statement of our progress in exploring the principal rivers of that country, and of the information respecting them hitherto obtained, will be communicated so soon as we shall receive some further relations which we have reason shortly to expect.

The receipts at the treasury during the year ending the 30th day of September last, have exceeded the sum of thirteen millions of dollars, which, with not quite five millions in the treasury at the beginning of the year, have enabled us, after meeting other demands, to pay nearly two millions of the debt contracted under the British treaty and convention, upward of four millions of principal of the public debt, and four millions of interest. These payments, with those which had been made in three years and a half preceding, have extinguished of the funded debt nearly eighteen millions of principal. Congress, by their act of November 10th, 1803, authorized us to borrow one million, seven hundred and fifty thousand dollars, toward meeting the claims of our citizens assumed by We have not, however, made use of this the convention with France. authority, because the sum of four millions and a half, which remained in the treasury on the same 30th day of September last, with the receipts which we may calculate on for the ensuing year, besides paying the annual sum of eight millions of dollars appropriated to the funded debt, and meeting all the current demands which may be expected, will enable us to pay the whole sum of three millions seven hundred and fifty thousand dollars assumed by the French convention, and still leave us a surplus of nearly a million of dollars at our free disposal. Should you concur in the provisions of arms and armed vessels recommended by the circumstances of the times, this surplus will furnish the means of doing so.

On this first occasion of addressing Congress, since by the choice of my constituents I have entered on a second term of administration, I embrace the opportunity to give this public assurance, that I will exert my best endeavors to administer faithfully the executive department, and will zealously co-operate with you in every measure which may tend to secure the liberty, property, and personal safety of our fellow-citizens, and to consolidate the republican forms and principles of our government.

In the course of your session you shall receive all the aid which I can give for the despatch of the public business, and all the information necessary for your deliberations, of which the interests of our own country and the confidence reposed in us by others will admit a communication.

# SPECIAL MESSAGE.

JANUARY 13, 1806.

To the Senate and House of Representatives of the United States :-

I LAY before Congress the application of Hamet Caramalli, elder brother of the reigning bashaw of Tripoli, soliciting from the United States attention to his services and sufferings in the late war against that state. And in order to possess them of the ground on which that application stands, the facts shall be stated according to the views and information of the executive.

During the war with Tripoli, it was suggested that Hamet Caramalli, elder brother of the reigning bashaw, and driven by him from his throne, meditated the recovery of his inheritance, and that a concert in action with us was desirable to him. We considered that concerted operations by those who have a common enemy were entirely justifiable, and might produce effects favorable to both, without binding either to guaranty the objects of the other. But the distance of the scene, the difficulties of communication, and the uncertainty of our information, inducing the less confidence in the measures, it was committed to our agents as one which might be resorted to if it promised to promote our success.

Mr. Eaton, however (our late consul), on his return from the Mediterranean, possessing a personal knowledge of the scene, and having confidence in the effect of a joint operation, we authorized Commodore Barron, then proceeding with his squadron, to enter into an understanding with Hamet if he should deem it useful; and as it was represented that he would need some aids of arms, and ammunition, and even of money he

of Derne, one of the most important cities and provinces of the country, where he had resided himself as governor, he was totally unable to command any resources, or to bear any part in the co-operation with us. This hope was then at an end, and we certainly had never contemplated, nor were we prepared, to land an army of our own, or to raise, pay, or subsist, an army of Arabs, to march from Derne to Tripoli and to carry on a land war at such a distance from our resources. Our means and our authority were merely naval, and that such were the expectations of Hamet, his letter of June 29th is an unequivocal acknowledgment. While, therefore, an impression from the capture of Derne might still operate at Tripoli, and an attack on that place from our squadron was daily expected. Colonel Lear thought it the best moment to listen to overtures of peace then made by the bashaw. He did so, and while urging provisions for the United States, he paid attention also to the interests of Hamet; but was able to effect nothing more than to engage the restitution of his family, and even the persevering in this demand suspended for some time the conclusion of the treaty.

In operations at such a distance, it becomes necessary to leave much to the discretion of the agents employed, but events may still turn up beyond the limits of that discretion. Unable in such case to consult his government, a zealous citizen will act as he believes that would direct him were it apprized of the circumstances, and will take on himself the responsibility. In all these cases the purity and patriotism of the motives should shield the agent from blame, and even secure a sanction where the error is not too injurious. Should it be thought by any that the verbal instructions said to have been given by Commodore Barron to Mr. Eaton amount to a stipulation that the United States should place Hamet Caramalli on the throne of Tripoli, a stipulation so entirely unauthorized, so far beyond our views, and so onerous, could not be sanctioned by our government; or should Hamet Caramalli, contrary to the evidence of his letters of January 3d and June 29th, be thought to have left the position which he now seems to regret, under a mistaken expectation that we were at all events to place him on his throne, on an appeal to the liberality of the nation something equivalent to the replacing him in his former situation might be worthy its consideration.

A nation, by establishing a character of liberality and magnanimity, gains in the friendship and respect of others more than the worth of mere money. This appeal is now made by Hamet Caramalli to the United States. The ground he has taken being different not only from our views but from those expressed by himself on former occasions, Mr. Eaton was desired to state whether any verbal communications passed from him to Hamet which had varied what we saw in writing. His answer of December 5th is herewith transmitted, and has rendered it still more necessary, that in presenting to the legislature the application of Hamet I should present them at the same time an exact statement of the views and proceedings of the executive through this whole business, that they may clearly understand the ground on which we are placed. It is accompanied by all the papers which bear any relation to the principles of the co-operation, and which can inform their judgment in deciding on the application of Hamet Caramalli.

# SPECIAL MESSAGE.

JANUARY 17, 1806.

To the Senate and House of Representatives of the United States :-

In my message to both houses of Congress at the opening of their present session, I submitted to their attention, among other subjects, the oppression of our commerce and navigation by the irregular practices of armed vessels, public and private, and by the introduction of new principles, derogatory of the rights of neutrals and unacknowledged by the usage of nations.

The memorials of several bodies of merchants of the United States are now communicated, and will develop these principles and practices which are producing the most ruinous effects on our lawful commerce and navi-

gation.

The rights of a neutral to carry on a commercial intercourse with every part of the dominions of a belligerent, permitted by the laws of the country (with the exception of blockaded ports and contraband of war), was believed to have been decided between Great Britain and the United States by the sentence of the commissioners mutually appointed to decide on that and other questions of difference between the two nations, and by the actual payment of damages awarded by them against Great Britain for the infractions of that right. When, therefore, it was perceived that the same principle was revived with others more novel, and extending the injury, instructions were given to the minister plenipotentiary of the United States at the court of London, and remonstrances duly made by him on this subject, as will appear by documents transmitted herewith. These were followed by a partial and temporary suspension only, without any

ous forts and fortifications, and sites for the erection of forts in that state, on the conditions therein expressed. This letter and the act it covered are now communicated to Congress.

I am not informed whether the positions ceded are the best which can be taken for securing their respective objects. No doubt is entertained that the legislature deemed them such. The river of Beaufort particularly, said to be accessible to ships of very large size, and capable of yielding them a protection which they can not find elsewhere, but very far to the north, is, from these circumstances, so interesting to the Union in general, as to merit particular attention and inquiry, as to the positions on it best calculated for health as well as safety.

# SPECIAL MESSAGE.

## FEBRUARY 19, 1806.

To the Senate and House of Representatives of the United States:-

In pursuance of a measure submitted to Congress by a message of January 18th, 1803, and sanctioned by their appropriation for carrying it into execution, Captain Meriwether Lewis, of the first regiment of infantry, was appointed, with a party of men, to explore the river Missouri from its mouth to its source; and, crossing the highlands by the shortest portage, to seek the best water communication thence to the Pacific ocean; and Lieutenant Clarke was appointed second in command. They were to enter into conference with the Indian nations on their route, with a view to the establishment of commerce with them. They entered the Missouri, May 14th, 1804, and on the 1st of November, took up their winter quarters near the Maudan towns, 1609 miles above the mouth of the river, in latitude 47° 21' 47" north, and longitude, 99° 24' 45" west, from Greenwich. On the 8th of April, 1805, they proceeded up the river in pursuance of the objects prescribed to them. A letter of the preceding day, April the 7th, from Captain Lewis, is herewith communicated. During his stay among the Maudans', he had been able to lay down the Missouri according to courses and distances taken under his passage up it, corrected by frequent observations of longitude and latitude, and to add to the actual survey of this portion of the river, a general map of the country between the Mississippi and Pacific, from the thirty-fourth to the fifty-fourth degrees of latitude. These additions are from information collected from Indians with whom he had opportunity of communicating during his journey and residence among them. Copies of this map are now presented to both houses of Congress. With these I communicate, also, a statistical view, procured and forwarded by him, of the Indian nations inhabiting the territory of Louisiana, and the countries adjacent to its northern and western borders; of their commerce, and of other interesting circumstances respecting them.

In order to render the statement as complete as may be, of the Indians inhabiting the country west of the Mississippi, I add Dr. Sibley's account of those residing in and adjacent to the territory of Orleans.

I communicate also, from the same person, an account of the Red river, according to the best information he had been able to collect.

Having been disappointed, after considerable preparation, in the purpose

of sending an exploring expedition up that river in the summer of 1804, it was thought best to employ the autumn in that year in procuring a knowledge on an interesting branch of the river called Washita. This was undertaken under the direction of Mr. Dunbar, of Natchez, a citizen of distinguished science, who had aided, and continues to aid us with his disinterested valuable services in the prosecution of these enterprises. He ascended the river to the remarkable hot springs near it, in latitude, 34° 31′ 4.″16, longitude, 92° 50′ 45″ west, from Greenwich, taking its courses and distances, and correcting them by frequent celestial observations. Extracts from his observations, and copies of his map of the river, from its mouth to the hot springs, make part of the present communications. The examination of the Red river itself is but now commencing.

# SPECIAL MESSAGE.

MARCH 20, 1806.

To the Senate and House of Representatives of the United States :-

It was reasonably expected, that while the limits between the territories of the United States and of Spain were unsettled, neither party would have innovated on the existing state of their respective positions. Some time since, however, we learned that the Spanish authorities were advancing into the disputed country to occupy new posts and make new settlements. Unwilling to take any measures which might preclude a peaceable accommodation of differences, the officers of the United States were ordered to

to enter, was taken and detained as prize by the squadron. Her restitution was claimed by the bey of Tunis, with a threat of war so serious, that, on withdrawing from the blockade of Tripoli, the commanding officer of the squadron thought it his duty to repair to Tunis with his squadron, and to require a categorical declaration whether peace or war was intended. The bey preferred explaining himself by an ambassador to the United States, who, on his arrival, renewed the request that the vessel and het prizes should be restored. It was deemed proper to give this proof of friendship to the bey, and the ambassador was informed the vessels would be restored. Afterward he made a requisition of naval stores to be sent to the bey, in order to secure peace for the term of three years, with a threat of war, if refused. It has been refused, and the ambassador is about to depart without receding from his threat or demand.

Under these circumstances, and considering that the several provisions of the act, March 25th, 1804, will cease in consequence of the ratification of the treaty of peace with Tripoli, now advised to and consented to by the senate, I have thought it my duty to communicate these facts, in order that Congress may consider the expediency of continuing the same provisions

for a limited time or making others equivalent.

#### SIXTH ANNUAL MESSAGE.

DECEMBER 2, 1806.

To the Senate and House of Representatives of the United States in Congress assembled:—

IT would have given me, fellow-citizens, great satisfaction to announce in the moment of your meeting that the difficulties in our foreign relations. existing at the time of your last separation, had been amicably and justly terminated. I lost no time in taking those measures which were most likely to bring them to such a termination, by special missions charged with such powers and instructions as in the event of failure could leave no imputation on either our moderation or forbearance. The delays which have since taken place in our negotiations with the British government appear to have proceeded from causes which do not forbid the expectation that during the course of the session I may be enabled to lay before you their final issue. What will be that of the negotiations for settling our differences with Spain, nothing which had taken place at the date of the last despatches enables us to pronounce. On the western side of the Mississippi she advanced in considerable force, and took post at the settlement of Bayou Pierre, on the Red river. This village was originally settled by France, was held by her as long as she held Louisiana, and was delivered to Spain only as a part of Louisiana. Being small, insulated, and distant, it was not observed, at the moment of redelivery to France and the United States, that she continued a guard of half a dozen men which had been stationed there. A proposition, however, having been lately made by our commander-in-chief, to assume the Sabine river as a temporary line of separation between the troops of the two nations until the issue of our negotiation shall be known; this has been referred by the Spanish commandant to his superior, and in the meantime, he has withdrawn his force to the western side of the Sabine river. The correspondence on this subject, now communicated, will exhibit more particularly the present state

of things in that quarter.

The nature of that country requires indispensably that an unusual proportion of the force employed there should be cavalry or mounted infantry. In order, therefore, that the commanding officer might be enabled to act with effect, I had authorized him to call on the governors of Orleans and Mississippi for a corps of five hundred volunteer cavalry. The temporary arrangement he has proposed may perhaps render this unnecessary. But I inform you with great pleasure of the promptitude with which the inhabitants of those territories have tendered their services in defence of their country. It has done honor to themselves, entitled them to the confidence of their fellow-citizens in every part of the Union, and must strengthen the general determination to protect them efficaciously under all circumstances which may occur.

Having received information that in another part of the United States a great number of private individuals were combining together, arming and organizing themselves contrary to law, to carry on military expeditions against the territories of Spain, I thought it necessary, by proclamations as well as by special orders, to take measures for preventing and suppressing this enterprise, for seizing the vessels, arms, and other means provided for it, and for arresting and bringing to justice its authors and abettors. It was due to that good faith which ought ever to be the rule of action in public as well as in private transactions; it was due to good order and regular government, that while the public force was acting strictly on the defensive and merely to protect our citizens from aggression, the criminal attempts of private individuals to decide for their country the question of peace or war, by commencing active and unauthorized

A further appropriation will also be necessary for repairing fortifications already established, and the erection of such works as may have real effect in obstructing the approach of an enemy to our seaport towns, or

their remaining before them.

In a country whose constitution is derived from the will of the people. directly expressed by their free suffrages; where the principal executive functionaries, and those of the legislature, are renewed by them at short periods; where, under the characters of jurors, they exercise in person the greatest portion of the judiciary powers; where the laws are consequently so formed and administered as to bear with equal weight and favor on all, restraining no man in the pursuits of honest industry, and securing to every one the property which that acquires, it would not be supposed that any safeguards could be needed against insurrection or enterprise on the public peace or authority. The laws, however, aware that these should not be trusted to moral restraints only, have wisely provided punishments for these crimes when committed. But would it not be salutary to give also the means of preventing their commission? Where an enterprise is meditated by private individuals against a foreign nation in amity with the United States, powers of prevention to a certain extent are given by the laws; would they not be as reasonable and useful where the enterprise preparing is against the United States? While adverting to this branch of the law, it is proper to observe, that in enterprises meditated against foreign nations, the ordinary process of binding to the observance of the peace and good behavior, could it be extended to acts to be done out of the jurisdiction of the United States, would be effectual in some cases where the offender is able to keep out of sight every indication of his purpose which could draw on him the exercise of the powers now given by law.

The states on the coast of Barbary seem generally disposed at present to respect our peace and friendship; with Tunis alone some uncertainty remains. Persuaded that it is our interest to maintain our peace with them on equal terms, or not at all, I propose to send in due time a reinforcement into the Mediterranean, unless previous information shall show

it to be unnecessary.

We continue to receive proofs of the growing attachment of our Indian neighbors, and of their disposition to place all their interests under the patronage of the United States. These dispositions are inspired by their confidence in our justice, and in the sincere concern we feel for their welfare; and as long as we discharge these high and honorable functions with the integrity and good faith which alone can entitle us to their continuance, we may expect to reap the just reward in their peace and friend-

ship

The expedition of Messrs. Lewis and Clarke, for exploring the river Missouri and the best communication from that to the Pacific ocean, has had all the success which could have been expected. They have traced the Missouri nearly to its source, descended the Columbia to the Pacific ocean, ascertained with accuracy the geography of that interesting communication across our continent, learned the character of the country, of its commerce, and inhabitants; and it is but justice to say that Messrs. Lewis and Clarke, and their brave companions, have by this arduous service deserved well of their country.

The attempt to explore the Red river, under the direction of Mr. Freeman, though conducted with a zeal and prudence meriting entire approbastill to be explored, toward which the authorization of Congress erate appropriations, will be requisite.

I congratulate you, fellow-citizens, on the approach of the which you may interpose your authority constitutionally, to wit citizens of the United States from all further participation in th tions of human rights which have been so long continued on the ing inhabitants of Africa, and which the morality, the reputation best interests of our country, have long been eager to proscribe. no law you may pass can take prohibitory effect till the first d year one thousand eight hundred and eight, yet the intervening not too long to prevent, by timely notice, expeditions which c completed before that day.

The receipts at the treasury during the year ending on the 3 September last, have amounted to near fifteen millions of dollar have enabled us, after meeting the current demands, to pay tween hundred thousand dollars of the American claims, in paprice of Louisiana; to pay of the funded dubt upward of three principal, and nearly four of interest; and in addition, to rein the course of the present month, near two millions of five and cent. stock. These payments and reimbursements of the fur with those which had been made in the four years and a half will at the close of the present year have extinguished upward three millions of principal.

The duties composing the Mediterranean fund will cease by end of the present season. Considering, however, that they chiefly on luxuries, and that we have an impost on salt, a necess the free use of which otherwise is so important, I recommend to sideration the suppression of the duties on salt, and the continua Mediterranean fund, instead thereof, for a short time, after which will become unnecessary for any purpose now within contemple

will become unnecessary for any purpose now within contempl.
When both of these because a shall in this way have

and give that advantage to foreign over domestic manufactures? On a few articles of more general and necessary use, the suppression in due season will doubtless be right, but the great mass of the articles on which impost is paid are foreign luxuries, purchased by those only who are rich enough to afford themselves the use of them. Their patriotism would certainly prefer its continuance and application to the great purposes of the public education, roads, rivers, canals, and such other objects of public improvement as it may be thought proper to add to the constitutional enumeration of federal powers. By these operations new channels of communication will be opened between the states; the lines of separation will disappear. their interests will be identified, and their union cemented by new and indissoluble ties. Education is here placed among the articles of public care, not that it would be proposed to take its ordinary branches out of the hands of private enterprise, which manages so much better all the concerns to which it is equal; but a public institution can alone supply those sciences which though rarely called for are yet necessary to complete the circle, all the parts of which contribute to the improvement of the country and some of them to its preservation. The subject is now proposed for the consideration of Congress, because, if approved by the time the state legislatures shall have deliberated on this extension of the federal trusts, and the laws shall be passed and other arrangements made for their execution, the necessary funds will be on hand and without employment. I suppose an amendment to the constitution, by consent of the states, necessary, because the objects now recommended are not among those enumerated in the constitution, and to which it permits the public moneys to be applied.

The present consideration of a national establishment for education, particularly, is rendered proper by this circumstance also, that if Congress, approving the proposition, shall yet think it more eligible to found it on a donation of lands, they have it now in their power to endow it with those which will be among the earliest to produce the necessary income. This foundation would have the advantage of being independent on war, which may suspend other improvements by requiring for its own purposes the resources destined for them.

This, fellow-citizens, is the state of the public interest at the present moment, and according to the information now possessed. But such is the situation of the nations of Europe, and such too the predicament in which we stand with some of them, that we can not rely with certainty on the present aspect of our affairs that may change from moment to moment, during the course of your session or after you shall have separated. Our duty is, therefore, to act upon things as they are and to make a reasonable provision for whatever they may be. Were armies to be raised whenever a speck of war is visible in our horizon, we never should have been without them. Our resources would have been exhausted on dangers which have never happened, instead of being reserved for what is really to take place. A steady, perhaps a quickened pace in preparations for the defence of our seaport towns and waters; an early settlement of the most exposed and vulnerable parts of our country; a militia so organized that its effective portions can be called to any point in the Union, or volunteers instead of them to serve a sufficient time, are means which may always be ready yet never preying on our resources until actually called into use. They will maintain the public interests while a more permanent force shall be in course of preparation. But much will depend on the promptitude with which these means can be brought into activity. If war be forced upon

#### SPECIAL MESSAGE.

#### DECEMBER 3, 1806.

To the Senate and House of Representatives of the United States

I HAVE the satisfaction to inform you that the negotiation deper tween the United States and the government of Great Britain is ing in a spirit of friendship and accommodation which promise of mutual advantage. Delays indeed have taken place, occasion long illness and subsequent death of the British minister charged duty. But the commissioners appointed by that government to the negotiation have shown every disposition to hasten its prog is, however, a work of time, as many arrangements are necessary our future harmony on stable grounds. In the meantime, we fit communications of our plenipotentiaries, that a temporary suspens act of the last session prohibiting certain importations would, as a candid disposition on our part, and of confidence in the temper a with which they have been met, have a happy effect on its co step so friendly will afford further evidence that all our proceed flowed from views of justice and conciliation, and that we give the ingly that form which may best meet corresponding dispositions.

Add to this, that the same motives which produced the postpor the act till the fifteenth of November last, are in favor of its fur pension; and as we have reason to hope that it may soon yie rangements of mutual consent and convenience, justice seems that the same measure may be dealt out to the few cases which within its short course, as to all others;

not therefore but recommend the even

#### SPECIAL MESSAGE.

JANUARY 22, 1807.

To the Senate and House of Representatives of the United States:-

AGREGABLY to the request of the house of representatives, communicated in their resolution of the sixteenth instant, I proceed to state under the reserve therein expressed, information received touching an illegal combination of private individuals against the peace and safety of the Union, and a military expedition planned by them against the territories of a power in amity with the United States, with the measures I have

pursued for suppressing the same.

I had for some time been in the constant expectation of receiving such further information as would have enabled me to lay before the legislature the termination as well as the beginning and progress of this scene of depravity, so far as it has been acted on the Ohio and its waters. From this the state and safety of the lower country might have been estimated on probable grounds, and the delay was indulged the rather, because no circumstance had yet made it necessary to call in the aid of the legislative functions. Information now recently communicated has brought us nearly to the period contemplated. The mass of what I have received, in the course of these transactions, is voluminous, but little has been given under the sanction of an oath, so as to constitute formal and legal evidence. It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions, as render it difficult to sift out the real facts, and unadvisable to hazard more than general outlines, strengthened by concurrent information, or the particular credibility of the relater. In this state of the evidence, delivered sometimes too under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor whose guilt is placed beyond question.

Some time in the latter part of September, I received intimations that designs were in agitation in the western country, unlawful and unfriendly to the peace of the Union; and that the prime mover in these was Aaron Burr, heretofore distinguished by the favor of his country. The grounds of these intimations being inconclusive, the objects uncertain, and the fidelity of that country known to be firm, the only measure taken was to urge the informants to use their best endeavors to get further insight into the designs and proceedings of the suspected persons, and to communicate them to me.

It was not until the latter part of October, that the objects of the conspiracy began to be perceived, but still so blended and involved in mystery that nothing distinct could be singled out for pursuit. In this state of uncertainty as to the crime contemplated, the acts done, and the legal course to be pursued, I thought it best to send to the scene where these things were principally in transaction, a person, in whose integrity, understanding, and discretion, entire confidence could be reposed, with instructions to investigate the plots going on, to enter into conference (for which he had sufficient credentials) with the governors and all other officers civil and military, and with their aid to do on the spot whatever should be necessary to discover the designs of the conspirators, arrest their means, bring

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to hasten an accommodation with the Spanish commander on a and as soon as that was effected to fall back with his principal for hither bank of the Mississippi, for the defence of the intersecting that river. By a letter received from that officer on the 25th of 1 but dated October 21st, we learn that a confidential agent of A had been deputed to him, with communications partly written and partly oral, explaining his designs, exaggerating his reson making such offers of emolument and command, to engage hir army in his unlawful enterprise, as he had flattered himself wou cessful. The general, with the honor of a soldier and fidelity citizen, immediately despatched a trusty officer to me with info what had passed, proceeding to establish such an understandin Spanish commandant on the Sabine as permitted him to wit force across the Mississippi, and to enter on measures for opp projected enterprise.

The general's letter; which came to hand on the 25th of Norhas been mentioned, and some other information received a few lier, when brought together, developed Burr's general designs parts of which only had been revealed to different informants. ed that he contemplated two distinct objects, which might be either jointly or separately, and either the one or the other first, stances should direct. One of these was the severance of the these states by the Allegany mountains; the other, an attack of A third object was provided, merely ostensible, to wit: the sea pretended purchase of a tract of country on the Washita, class Baron Bastrop. This was to serve as the pretext for all his pran allurement for such followers as really wished to acquire a in that country, and a cover under which to retreat in the even

discomfiture of both branches of his real design.

He found at once that the attachment of the western country t ent Union was not to be shaken; that its dissolution could no ed with the consent of its inhabitar

our differences with Spain; and others by offers of land in Bastrop's claim on the Washita.

This was the state of my information of his proceedings about the last of November, at which time, therefore, it was first possible to take specific measures to meet them. The proclamation of November 27th, two days after the receipt of General Wilkinson's information, was now issued. Orders were despatched to every intersecting point on the Ohio and Mississippi, from Pittsburg to New Orleans, for the employment of such force either of the regulars or of the militia, and of such proceedings also of the civil authorities, as might enable them to seize on all the boats and stores provided for the enterprise, to arrest the persons concerned, and to suppress effectually the further progress of the enterprise. A little before the receipt of these orders in the state of Ohio, our confidential agent, who had been diligently employed in investigating the conspiracy, had acquired sufficient information to open himself to the governor of that state, and apply for the immediate exertion of the authority and power of the state to crush the combination. Governor Tiffin and the legislature, with a promptitude, an energy, and patriotic zeal, which entitle them to a distinguished place in the affection of their sister states, effected the seizure of all the boats, provisions, and other preparations within their reach, and thus gave a first blow, materially disabling the enterprise in its outset.

In Kentucky, a premature attempt to bring Burr to justice, without sufficient evidence for his conviction, had produced a popular impression in his favor and a general disbelief of his guilt. This gave him an unfortunate opportunity of hastening his equipments. The arrival of the proclamation and orders, and the application and information of our confidential agent, at length awakened the authorities of that state to the truth, and then produced the same promptitude and energy of which the neighboring state had set the example. Under an act of their legislature of December 23d, militia was instantly ordered to different important points, and measures taken for doing whatever could yet be done. Some boats (accounts vary from five to double or treble that number) and persons (differently estimated from one to three hundred) had in the meantime passed the falls of the Ohio, to rendezvous at the mouth of Cumberland, with others expected down that river.

Not apprized, till very late, that any boats were building on Cumberland, the effect of the proclamation had been trusted to for some time in the state of Tennessee; but on the 19th of December, similar communications and instructions with those of the neighboring states were despatched by express to the governor, and a general officer of the western division of the state, and on the 23d of December our confidential agent left Frankfort for Nashville, to put into activity the means of that state also. But by information received yesterday, I learn that on the 22d of December, Mr. Burr descended the Cumberland with two boats merely of accommodation, carrying with him from that state no quota toward his unlawful enterprise. Whether after the arrival of the proclamation, of the orders, or of our agent, any exertion which could be made by that state, or the orders of the governor of Kentucky for calling out the militia at the mouth of Cumberland, would be in time to arrest these boats, and those from the falls of the Ohio, is still doubtful.

On the whole, the fugitives from the Ohio, with their associates from Cumberland, or any other place in that quarter, can not threaten serious danger to the city of New Orleans.

Great zeal was snown by the immantants generally, the merchal place readily agreeing to the most laudable exertions and sach manning the armed vessels with their seamen, and the other citiz if esting unequivocal fidelity to the Union, and a spirit of determinant of the control of the contro

sistance to their expected assailants.

Surmises have been hazarded that this enterprise is to receive certain foreign powers. But these surmises are without proof The wisdom of the measures sanctioned by Congress a session has placed us in the paths of peace and justice with the ers with whom we had any differences, and nothing has happen which makes it either their interest or ours to pursue another cou change of measures has taken place on our part; none ought to t at this time. With the one, friendly arrangement was then prop the law deemed necessary on the failure of that was suspended time for a fair trial of the issue. With the same power, nego still preferred, and provisional measures only are necessary to event of rupture. While, therefore, we do not deflect in the slip gree from the course we then assumed, and are still pursuing, wi consent, to restore a good understanding, we are not to impute practices as irreconcilable to interest as to good faith, and changi sarily the relations of peace and justice between us to those These surmises are, therefore, to be imputed to the vauntings o thor of this enterprise, to multiply his partisans by magnifying of his prospects and support.

By letters from General Wilkinson, of the 14th and 18th of S which came to hand two days after date of the resolution of the representatives, that is to say, on the morning of the 18th ins ceived the important affidavit, a copy of which I now communic extracts of so much of the letters as come within the scope of the tion. By these it will be seen that of three of the principal emis Mr. Burr, whom the general had caused to be apprehended, one liberated by habeas or and the tree others have these re-

employed in the endea

have occasion to use them, render it equally desirable for the criminals as for the public, that being already removed from the place where they were first apprehended, the first regular arrest should take place here, and the course of proceedings receive here its proper direction.

# SPECIAL MESSAGE.

## JANUARY 28, 1807.

To the Senate and House of Representatives of the United States:-

By the letters of Captain Bissel, who commands at Fort Massac, and of Mr. Murrell, to General Jackson, of Tennessee, copies of which are now communicated to Congress, it will be seen that Aaron Burr passed Fort Massac on the 31st of December, with about ten boats, navigated by about six hands each, without any military appearance, and that three boats with ammunition were said to have been arrested by the militia at Louisville.

As the guards of militia posted on various points on the Ohio will be able to prevent any further aids passing through that channel, should any be attempted, we may now estimate, with tolerable certainty, the means derived from the Ohio and its waters, toward the accomplishment of the purposes of Mr. Burr.

# SPECIAL MESSAGE.

JANUARY 31, 1807.

To the Senate and House of Representatives of the United States:-

In execution of the act of the last session of Congress, entitled, "An act to regulate the laying out and making a road from Cumberland, in the state of Maryland, to the state of Ohio," I appointed Thomas Moore, of Maryland, Joseph Kerr, of Ohio, and Eli Williams, of Maryland, commissioners to lay out the said road, and to perform the other duties assigned to them by the act. The progress which they made in the execution of the work, during the last season, will appear in their report, now communicated to Congress. On the receipt of it, I took measures to obtain consent for making the road, of the states of Pennsylvania, Maryland, and Virginia, through which the commissioners proposed to lay it out. I have received acts of the legislatures of Maryland and Virginia, giving the consent desired; that of Pennsylvania has the subject still under consideration, as is supposed. Until I receive full consent to a free choice of route through the whole distance, I have thought it safest neither to accept, nor reject, finally, the partial report of the commissioners. Some matters suggested in the report belong exclusively to the legislature.

Under present circumstances, and governed by the intention legislature, as manifested by their annual appropriations of more purposes of defence, it has been concluded to combine—1st, land turnished with heavy cannon and mortars, and established on all t around the place favorable for preventing vessels from lying before moveable artillery which may be carried, as an occasion may repoints unprovided with fixed batteries; 3d, floating batteries; and boats, which may oppose an enemy at its entrance and co-operate batteries for his expulsion.

On this subject professional men were consulted as far as w portunity. General Wilkinson, and the late General Gates, a opinions in writing, in favor of the system, as will be seen by the now communicated. The higher officers of the navy gave the sions, in separate conferences, as their presence at the seat of go offered occasions of consulting them, and no difference of judg peared on the subject. Those of Commodore Barron and Captai now here, are recently furnished in writing, and transmitted here.

the legislature.

The efficacy of gun-boats for the defence of harbors, and of oth and enclosed waters, may be estimated in part from that of galley ly much used but less powerful, more costly in their construction tenance, and requiring more men. But the gun-boat itself is be in use with every modern maritime nation for the purpose of In the Mediterranean, on which are several small powers, who like ours is peace and defence, few harbors are without this artitection. Our own experience there of the effect of gun-boats service, is recent. Algiers is particularly known to have owed provision of these vessels the safety of its city, since the epoconstruction. Before that it had been repeatedly insulted ar The effect of gun-boats at present in the neighborhood of Gibral known, and how much they were used both in the attack and that place during a form

some of the principal seaports, and from a view of all the towns and ports from Orleans to Maine inclusive, entitled to protection, in proportion to their situation and circumstances, it is concluded, that to give them a due measure of protection in time of war, about two hundred gun-boats will be requisite. According to first ideas, the following would be their general distribution, liable to be varied on more mature examination, and as circumstances shall vary, that is to say:—

To the Mississippi and its neighboring waters, forty gun-boats.

To Savannah and Charleston, and the harbors on each side, from St. Mary's to Currituck, twenty-five.

To the Chesapeake and its waters, twenty.

To Delaware bay and river, fifteen.

To New York, the Sound, and waters as far as Cape Cod, fifty.

To Boston and the harbors north of Cape Cod, fifty.

The flotillas assigned to these several stations might each be under the care of a particular commandant, and the vessels composing them would, in ordinary, be distributed among the harbors within the station in proportion to their importance.

Of these boats a proper proportion would be of the larger size, such as those heretofore built, capable of navigating any seas, and of reinforcing occasionally the strength of even the most distant port when menaced with danger. The residue would be confined to their own or the neighboring harbors, would be smaller, less furnished for accommodation, and consequently less costly. Of the number supposed necessary, seventy-three are built or building, and the hundred and twenty-seven still to be provided would cost from five to six hundred thousand dollars. Having regard to the convenience of the treasury, as well as to the resources for building, it has been thought that one half of these might be built in the present year, and the other half the next. With the legislature, however, it will rest to stop where we are, or at any further point, when they shall be of opinion that the number provided shall be sufficient for the object.

At times when Europe as well as the United States shall be at peace, it would not be proposed that more than six or eight of these vessels should be kept afloat. When Europe is in war, treble that number might be necessary to be distributed among those particular harbors which foreign vessels-of-war are in the habit of frequenting, for the purpose of preserving order therein. But they would be manned, in ordinary, with only their complement for navigation, relying on the seamen and militia of the port if called into action on any sudden emergency. It would be only when the United States should themselves be at war, that the whole number would be brought into actual service, and would be ready in the first moments of the war to co-operate with other means for covering at once the line of our seaports. At all times, those unemployed would be withdrawn into places not exposed to sudden enterprise, hauled up under sheds from the sun and weather, and kept in preservation with little expense for repairs or maintenance.

It must be superfluous to observe, that this species of naval armament is proposed merely for defensive operation; that it can have but little effect toward protecting our commerce in the open seas, even on our coast; and still less can it become an excitement to engage in offensive maritime war, toward which it would furnish no means.

depredations committed on our commerce and navigation upon t seas for years past, the successive innovations on those principles ic law which have been established by the reason and usage of is the rule of their intercourse, and the umpire and security of the and peace, and all the circumstances which induced the extra mission to London, are already known to you. The instructions our ministers were framed in the sincerest spirit of amity and mo They accordingly proceeded, in conformity therewith, to propose nents which might embrace and settle all the points in difference as, which might bring us to a mutual understanding on our new national rights, and provide for a commercial intercourse on cond some equality. After long and fruitless endeavors to effect the of their mission, and to obtain arrangements within the limits of structions, they concluded to sign such as could be obtained, and them for consideration, candidly declaring to the other negotiator same time, that they were acting against their instructions, and t government therefore could not be pledged for ratification. Som articles proposed might have been admitted on a principle of com out others were too highly disadvantageous, and no sufficient t was made against the principal source of the irritations and c which were constantly endangering the peace of the two nation nuestion, therefore, whether a treaty should be accepted in that for have admitted but of one decision, even had no declarations of t party impaired our confidence in it. Still anxious not to close against friendly adjustment, new modifications were framed and concessions authorized, than could before have been supposed ne and our ministers were instructed to resume their negotiations grounds. On this new reference to amicable discussion we we sing in confidence, when on the 22d day of June last, by a form from the British admiral, the frigate Chesapeake, leaving her por ant service, was attacked by one of those vessels which had been our harbors under the indulgences of he

United States was despatched with instructions to our ministers at London to call on that government for the satisfaction and security required by the outrage. A very short interval ought now to bring the answer, which shall be communicated to you as soon as received; then also, or as soon after as the public interests shall be found to admit, the unratified treaty

and proceedings relative to it, shall be made known to you.

The aggression thus begun has been continued on the part of the British commanders, by remaining within our waters, in defiance of the authority of the country, by habitual violations of its jurisdiction, and at length by putting to death one of the persons whom they had forcibly taken from on board the Chesapeake. These aggravations necessarily lead to the policy, either of never admitting an armed vessel into our harbors, or of maintaining in every harbor such an armed force as may constrain obedience to the laws, and protect the lives and property of our citizens, against their armed guests. But the expense of such a standing force, and its inconsistence with our principles, dispense with those courtesies which would necessarily call for it, and leave us equally free to exclude the navy, as we are the army, of a foreign power, from entering our limits.

To former violations of maritime rights, another is now added of very extensive effect. The government of that nation has issued an order interdicting all trade by neutrals between ports not in amity with them; and being now at war with nearly every nation on the Atlantic and Mediterranean seas, our vessels are required to sacrifice their cargoes at the first port they touch, or to return home without the benefit of going to any other market. Under this new law of the ocean, our trade on the Mediterranean has been swept away by seizures and condemnations, and that in other

seas is threatened with the same fate.

Our differences with Spain remain still unsettled; no measure having been taken on her part, since my last communication to Congress, to bring them to a close. But under a state of things which may favor a reconsideration, they have been recently pressed, and an expectation is entertained that they may now soon be brought to an issue of some sort. With their subjects on our borders, no new collisions have taken place nor seem immediately to be apprehended. To our former grounds of complaint has been added a very serious one, as you will see by the decree, a copy of which is now communicated. Whether this decree, which professes to be conformable to that of the French government of November 21st, 1806, heretofore communicated to Congress, will also the conformed to that in its construction and application in relation to the United States, had not been ascertained at the date of our last communications. These, however, gave reason to expect such a conformity.

With the other nations of Europe our harmony has been uninterrupted, and commerce and friendly intercourse have been maintained on their

usual footing.

Our peace with the several states on the coast of Barbary appears as firm as at any former period, and is as likely to continue as that of any other nation.

Among our Indian neighbors in the northwestern quarter, some fermentation was observed soon after the late occurrences, threatening the continuance of our peace. Messages were said to be interchanged, and tokens to be passing, which usually denote a state of restlessness among them, and the character of the agitators pointed to the sources of excitement. Measures were immediately taken for providing against that

ing their views with ours, in proportion to their advancement. whole of these people, in every quarter, I shall continue to inculca and friendship with all their neighbors, and perseverance in those pations and pursuits which will best promote their own well-bein

The appropriations of the last session, for the defence of our towns and harbors, were made under expectation that a continour peace would permit us to proceed in that work according to venience. It has been thought better to apply the sums the toward the defence of New York, Charleston, and New Orleans cl most open and most likely first to need protection; and to leav less immediately in danger to the provisions of the present sessio

The gun-boats, too, already provided, have on a like princip chiefly assigned to New York, New Orleans, and the Chesapeake. er our moveable force on the water, so material in aid of the c works on the land, should be augmented in this or any other for to the wisdom of the legislature. For the purpose of manning th sels in sudden attacks on our harbors, it is a matter for consideration er the seamen of the United States may not justly be formed into : militia, to be called on for tours of duty in defence of the harbon they shall happen to be; the ordinary militia of the place furnisl portion which may consist of landsmen.

The moment our peace was threatened, I deemed it indisper secure a greater provision of those articles of military stores wit our magazines were not sufficiently furnished. To have awaited a and special sanction by law would have lost occasions which n be retrieved. I did not hesitate, therefore, to authorize engagen such supplements to our existing stock as would render it adequa emergencies threatening us; and I trust that the legislature, fee same anxiety for the safety of our country, so materially advance precaution, will approve, when done, what they would have seen portant to be done if then assembled. Expenses, also unproviarose out of the necessity of calling all our gun-boats into actua for the defence of our harbors; of all which accounts will be lai Whathan a namelan amount is to be united and to what owtent to

I informed Congress at their last session of the enterprises against the public peace, which were believed to be in preparation by Aaron Burr and his associates, of the measures taken to defeat them, and to bring the offenders to justice. Their enterprises were happily defeated by the patriotic exertions of the militia wherever called into action, by the fidelity of the army, and energy of the commander-in-chief in promptly arranging the difficulties presenting themselves on the Sabine, repairing to meet those arising on the Mississippi, and dissipating, before their explosion, plots engendering there. I shall think it my duty to lay before you the proceedings and the evidence publicly exhibited on the arraignment of the principal offenders before the circuit court of Virginia. You will be enabled to judge whether the defect was in the testimony, in the law, or in the administration of the law; and wherever it shall be found, the legislature alone can apply or originate the remedy. The framers of our constitution certainly supposed they had guarded, as well their government against destruction by treason, as their citizens against oppression, under pretence of it, and if these ends are not attained, it is of importance to in-

quire by what means, more effectual, they may be secured.

The accounts of the receipts of revenue, during the year ending on the thirtieth day of September last, being not yet made up, a correct statement will be hereafter transmitted from the treasury. In the meantime, it is ascertained that the receipts have amounted to near sixteen millions of dollars, which, with the five millions and a half in the treasury at the beginning of the year, have enabled us, after meeting the current demands and interest incurred, to pay more than four millions of the principal of our funded debt. These payments, with those of the preceding five and a half years, have extinguished of the funded debt twenty-five millions and a half of dollars, being the whole which could be paid or purchased within the limits of the law and of our contracts, and have left us in the treasury eight millions and a half of dollars. A portion of this sum may be considered as a commencement of accumulation of the surpluses of revenue, which, after paying the instalments of debts as they shall become payable, will remain without any specific object. It may partly, indeed, be applied toward completing the defence of the exposed points of our country, on such a scale as shall be adapted to our principles and circumstances. This object is doubtless among the first entitled to attention; in such a state of our finances, and it is one which, whether we have peace or war, will provide security where it is due. Whether what shall remain of this, with the future surpluses, may be usefully applied to purposes already authorized, or more usefully to others requiring new authorities, or how otherwise they shall be disposed of, are questions calling for the notice of Congress, unless indeed they shall be superseded by a change in our public relations now awaiting the determination of others. Whatever be that determination, it is a great consolation that it will become known at a moment when the supreme council of the nation is assembled at its post, and ready to give the aids of its wisdom and authority to whatever course the good of our country shall then call us to pursue.

Matters of minor importance will be the subjects of future communications; and nothing shall be wanting on my part which may give information or despatch to the proceedings of the legislature in the exercise of their high duties, and at a moment so interesting to the public welfare.

#### SPECIAL MESSAGE.

## DECEMBER 18, 1807.

To the Senate and House of Representatives of the United State.

The communications now made, showing the great and dangers with which our vessels, our seamen, and merchandise, ened on the high seas and elsewhere, from the belligerent property and it being of great importance to keep in safety these resources, I deem it my duty to recommend the subject to the tion of Congress, who will doubtless perceive all the advantaging be expected from an inhibition of the departure of our veste ports of the United States.

Their wisdom will also see the necessity of making every p

for whatever events may grow out of the present crisis.

#### SPECIAL MESSAGE.

JANUARY 20, 1808.

To the House of Representatives of the United States :-

Some days previous to your resolutions of the 13th instant, a quiry had been instituted at the request of General Wilkinson, make the inquiry into his conduct which the first resolution desire commenced their proceeds

It is well understood that, in the first or second year of the presidency of General Washington, information was given to him relating to certain combinations with the agents of a foreign government for the dismemberment of the Union; which combinations had taken place before the establishment of the present federal government. This information, however, is believed never to have been deposited in any public office, or left in that of the president's secretary; these having been duly examined, but to have been considered as personally confidential, and, therefore, retained among his private papers. A communication from the governor of Virginia to General Washington, is found in the office of the president's secretary, which, although not strictly within the terms of the request of the house of representatives, is communicated, inasmuch as it may throw some light on the subjects of the correspondence of that time, between certain foreign agents and citizens of the United States.

In the first or second year of the administration of President Adams, Andrew Ellicott, then employed in designating, in conjunction with the Spanish authorities, the boundaries between the territories of the United States and Spain, under the treaty with that nation, communicated to the executive of the United States papers and information respecting the subjects of the present inquiry, which were deposited in the office of state. Copies of these are now transmitted to the house of representatives, except of a single letter and a reference from the said Andrew Ellicott, which being expressly desired to be kept secret, is, therefore, not communicated, but its contents can be obtained from himself in a more legal form, and directions have been given to summon him to appear as a witness before the court of inquiry.

A paper "on the commerce of Louisiana," bearing date of the 18th of April, 1798, is found in the office of state, supposed to have been communicated by Mr. Daniel Clark, of New Orleans, then a subject of Spain, and now of the house of representatives of the United States, stating certain commercial transactions of General Wilkinson, in New Orleans; an extract from this is now communicated, because it contains facts which may have some bearing on the questions relating to him.

The destruction of the war-office, by fire, in the close of 1800, involved all information it contained at that date.

The papers already described, therefore, constitute the whole information on the subjects, deposited in the public offices, during the preceding administrations, as far as has yet been found; but it can not be affirmed that there may be no others, because, the papers of the office being filed, for the most part, alphabetically, unless aided by the suggestion of any particular name which may have given such information, nothing short of a careful examination of the papers in the offices generally, could authorize such affirmation.

About a twelvemonth after I came to the administration of the government, Mr. Clark gave some verbal information to myself, as well as to the secretary of state, relating to the same combinations for the dismemberment of the Union. He was listened to freely, and he then delivered the letter of Governor Gagoso, addressed to himself, of which a copy is now communicated. After his return to New Orleans, he forwarded to the secretary of state other papers, with a request that, after perusal, they should be burned. This, however, was not done, and he was so informed by the secretary of state, and that they would be held subject to his order. These papers have not yet been found in the office. A letter, therefore,

conspiracy of Aaron Burr, I sometimes received letters, son anonymous, some under names true or false, expressing suspicion sinuations against General Wilkinson. But one only of then anonymous, specified any particular fact, and that fact was on which had already been communicated to a former administrati

No other information within the purview of the request of the known to have been received by any department of the govern the establishment of the present federal government. That recently been communicated to the house of representatives, at to me, is the first direct testimony ever made known to me, challeral Wilkinson with the corrupt receipt of money; and the housentatives may be assured that the duties which this information me shall be exercised with rigorous impartiality. Should a power in the court to compel the rendering of testimony, obstrained impartial inquiry, which alone can establish guilt or inno satisfy justice, the legislative authority only will be comperemedy.

# SPECIAL MESSAGE.

JANUARY 30, 1808.

To the Senate and House of Representatives of the United State

The Choctaws being indebted to their merchants beyond where discharged by the ordinary proceeds of their huntings, and payment, proposed to the United States to cede lands to the their debts, and designated them in two different portions of the These designations not at all suiting us, were declined. Stitcheir creditors, as well as their own desire to be liberated from at length proposed to make a cession which should be to our control by a treaty signed at Pooshapakonuk, on the 16th November, accordingly ceded all their lands south of a line to be run from

view considerations others than those which then prevailed. It is perhaps now as interesting to obtain footing for a strong settlement of militia along our southern frontier, eastward of the Mississippi, as on the west of that river, and more so than higher up the river itself. The consolidation of the Mississippi territory, and the establishment of a barrier of separation between the Indians and our southern neighbors, are also important objects; and the Choctaws and their creditors being still anxious that the sale should be made, I submitted the treaty to the senate, who have advised and consented to its ratification. I, therefore, now lay it before both houses of Congress for the exercise of their constitutional powers as to the means of fulfilling it.

#### SPECIAL MESSAGE.

JANUARY 30, 1808.

To the Senate and House of Representatives of the United States:-

The posts of Detroit and Mackinac, having been originally intended by the governments which established and held them, as mere depots for the commerce with the Indians, very small cessions of land around were obtained or asked from the native proprietors, and these posts depended for protection on the strength of their garrisons. The principle of our government leading us to the employment of such moderate garrisons in time of peace, as may merely take care of the post, and to a reliance on the neighboring militia for its support in the first moments of war, I have thought it would be important to obtain from the Indians such a cession of the neighborhood of these posts as might maintain a militia proportioned to this object; and I have particularly contemplated, with this view, the acquisition of the eastern moiety of the peninsula between the lakes Huron, Michigan, and Erie, extending it to the Connecticut reserve, so soon as it could be effected with the perfect good will of the natives.

By a treaty concluded at Detroit, on the 17th of November last, with the Ottawas, Chippewas, Wyandots, and Pottawatomies, so much of this country has been obtained as extends from about Saguina bay southwardly to the Miami of the lakes, supposed to contain upward of five millions of acres, with a prospect of obtaining, for the present, a breadth of two miles for a communication from the Miami to the Connecticut reserve.

The senate having advised and consented to the ratification of this treaty, I now lay it before both houses of Congress for the exercise of their constitutional powers as to the means of fulfilling it.

#### SPECIAL MESSAGE.

FEBRUARY 2, 1808.

To the Senate and House of Representatives of the United States:-

Having received an official communication of certain orders of the British government against the maritime rights of neutrals, bearing date of

the 11th of November, 1807, I transmitted to Congress, as a further proof of the increasing dangers to our navigation and commerce which led to the provident measures of the act of the present session, laying an embargo on our own vessels.

## SPECIAL MESSAGE.

FEBRUARY 4, 1808.

To the House of Representatives of the United States :-

In my message, January 20th, I stated that some papers forwarded by Mr. Daniel Clark, of New Orleans, to the secretary of state, in 1803, had not then been found in the office of state; and that a letter had been addressed to the former chief clerk, in the hope that he might advise where they should be sought for. By indications received from him they are now found. Among them are two letters from the Baron de Carondelet to an officer serving under him at a separate post, in which his views of a dismemberment of our Union are expressed. Extracts of so much of these letters as are within the scope of the resolutions of the house, are now communicated. With these were found the letters from Mr. Clark, to the secretary of state, in 1803. A part of one only of these relates to this subject, and is extracted and enclosed for the information of the house. In no part of the papers communicated by Mr. Clark, which are voluminous, and in different languages, nor in his letters, have we found any intimation of the corrupt receipt of money by any officer of the United States, from any foreign agent. As to the combinations with foreign agents for the dismemberment

#### SPECIAL MESSAGE.

#### FEBRUARY 15, 1808.

To the Senate and House of Representatives of the United States:-

I COMMUNICATE for the information of Congress a letter from the consul of the United States at Malaga, to the secretary of state, covering one from Mr. Lear, our consul at Algiers, which gives information, that the rupture threatened on the part of the dey of Algiers has been amicably settled, and the vessels seized by him are liberated.

#### SPECIAL MESSAGE.

## FEBRUARY 19, 1808.

To the Senate and House of Representatives of the United States:

The states of Pennsylvania, Maryland, and Virginia, having, by their several acts, consented that the road from Cumberland to the state of Ohio, authorized by the act of Congress of the 29th March, 1806, should pass through those states, and the report of the commissioners communicated to Congress with my message of the 31st January, 1807, having been duly considered, I have approved of the route therein proposed for the said road, as far as Brownsville, with a single deviation since located, which carries it through Uniontown.

From thence the course to the Ohio, and the point within the legal limits at which it shall strike that river, is still to be decided. In forming this decision, I shall pay material regard to the interests and wishes of the populous part of the state of Ohio, and to a future and convenient connexion with the road which is to lead from the Indian boundary near Cincinnati, by Vincennes to the Mississippi, at St. Louis, under authority of the act, 21st April, 1806. In this way we may accomplish a continued and advantageous line of communication from the seat of the general government to St. Louis, passing through several very interesting points of the western country.

I have thought it advisable also to secure from obliteration the trace of the road so far as it has been approved, which has been executed at such considerable expense, by opening one half of its breadth through its whole length.

The report of the commissioners, herewith transmitted, will give particular information of their proceedings, under the act of the 29th March, 1806, since the date of my message of the 31st January, 1807, and will enable Congress to adopt such further measures relative thereto, as they may deem proper under existing circumstances.

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# SPECIAL MESSAGE.

## FEBRUARY 25, 1808.

To the Senate and House of Representatives of the United States :-

The dangers to our country, arising from the contests of other nations and the urgency of making preparation for whatever events might affect our relations with them, have been intimated in preceding messages to Congress. To secure ourselves by due precautions, an augmentation of our military force, as well regular as of volunteer militia, seems to be expedient. The precise extent of that augmentation can not as yet be satisfactorily suggested, but that no time may be lost, and especially at a season deemed favorable to the object, I submit to the wisdom of the legislature whether they will authorize a commencement of this precautionary work by a present provision for raising and organizing some additional force; reserving to themselves to decide its ultimate extent on such views of our situation as I may be enabled to present at a future day of the session.

If an increase of force be now approved, I submit to their consideration the outlines of a plan proposed in the enclosed letter from the secretary

of war.

I recommend, also, to the attention of Congress, the term at which the act of April 18th, 1806, concerning the militia, will expire, and the effect of that expiration.

SPECIAL MESSAGE

in itself; but it has been adjudged that the legal title was not in the city. It is, however, alleged, that that title, originally in the former sovereigns, was never parted with by them, but was retained in them for the uses of the city and province, and consequently has now passed over to the United States. Until this question can be decided under legislative authority, measures have been taken, according to law, to prevent any change in the state of things, and to keep the grounds clear of intruders. The settlement of this title, the appropriations of the grounds and improvements formerly occupied for provincial purposes to the same or such other objects as may be better suited to present circumstances; the confirmation of the uses in other parcels to such bodies, corporate or private, as may of right, or on other reasonable considerations, expect them, are matters now submitted to the legislature.

The papers and plans now transmitted, will give them such information on the subject as I possess, and being mostly originals, I must request that they may be communicated from the one to the other house to answer the purposes of both.

#### SPECIAL MESSAGE.

## MARCH 17, 1808.

To the Senate and House of Representatives of the United States:-

I have heretofore communicated to Congress the decrees of the government of France, of November 21st, 1806, and of Spain, February 19th, 1807, with the orders of the British government, of January and November, 1807.

I now transmit a decree of the emperor of France, of December 17th, 1807, and a similar decree of the 3d January last, by his catholic majesty. Although the decree of France has not been received by official communication, yet the different channels of promulgation through which the public are possessed of it, with the formal testimony furnished by the government of Spain, in their decree, leave us without a doubt that such a one has been issued. These decrees and orders, taken together, want little of amounting to a declaration that every neutral vessel found on the high seas, whatsoever be her cargo, and whatsoever foreign port be that of her departure or destination, shall be deemed lawful prize; and they prove, more and more, the expediency of retaining our vessels, our seamen, and property, within our own harbors, until the dangers to which they are exposed can be removed or lessened.

#### SPECIAL MESSAGE.

#### MARCH 18, 1808.

To the Senate and House of Representatives of the United States:—

THE scale on which the military academy at West Point, was originally established, is become too limited to furnish the number of well-instructed

subjects in the different branches of artillery and engineering which the public service calls for. The want of such characters is already sensibly felt, and will be increased with the enlargement of our plans of military preparation. The chief engineer having been instructed to consider the subject, and to propose an augmentation which might render the establishment commensurate with the present circumstances of our country, has made the report I now transmit for the consideration of Congress.

The idea suggested by him of removing the institution to this place, is also worthy of attention. Beside the advantage of placing it under the immediate eye of the government, it may render its benefits common to the naval department, and will furnish opportunities of selecting on better information, the characters most qualified to fulfil the duties which the public

service may call for.

#### SPECIAL MESSAGE.

MARCH 22, 1808.

To the Senate and House of Representatives of the United States :-

At the opening of the present session I informed the legislature that the measures which had been taken with the government of Great Britain for the settlement of our neutral and national rights, and of the conditions of commercial intercourse with that nation, had resulted in articles of a treaty which could not be acceded to on our part; that instructions had consequently been sent to our ministers there to resume the negotiations, and to endeavor to obtain certain alterations; and that this was interrupted by the

duct on our part, however impartial and friendly, has been sufficient to insure from either belligerent a just respect for our rights, I am desirous that nothing shall be omitted on my part which may add to your information on this subject, or contribute to the correctness of the views which should be formed. The papers which for these reasons I now lay before you embrace all the communications, official or verbal, from the French government, respecting the general relations between the two countries which have been transmitted through our minister there, or through any other accredited channel, since the last session of Congress, to which time all information of the same kind had from time to time been given them. Some of these papers have already been submitted to Congress; but it is thought better to offer them again, in order that the chain of communications, of which they make a part, may be presented unbroken.

When, on the 26th of February, I communicated to both houses the letter of General Armstrong to M. Champagny, I desired it might not be published, because of the tendency of that practice to restrain injuriously the freedom of our foreign correspondence. But perceiving that this caution, proceeding purely from a regard for the public good, has furnished occasion for disseminating unfounded suspicions and insinuations, I am induced to believe that the good which will now result from its publication, by confirming the confidence and union of our fellow-citizens, will more than countervail the ordinary objection to such publications. It is my wish, therefore, that it may be now published.

# EIGHTH ANNUAL MESSAGE.

NOVEMBER 8, 1808.

To the Senate and House of Representatives of the United States:

IT would have been a source, fellow-citizens, of much gratification, if our last communications from Europe had enabled me to inform you that the belligerent nations, whose disregard of neutral rights has been so destructive to our commerce, had become awakened to the duty and true policy of revoking their unrighteous edicts. That no means might be omitted to produce this salutary effect, I lost no time in availing myself of the act authorizing a suspension, in whole or in part, of the several embargo laws. Our ministers at London and Paris were instructed to explain to the respective governments there, our disposition to exercise the authority in such manner as would withdraw the pretext on which the aggressions were originally founded, and open the way for a renewal of that commercial intercourse which it was alleged on all sides had been reluctantly obstructed. As each of those governments had pledged its readiness to concur in renouncing a measure which reached its adversary through the incontestable rights of neutrals only, and as the measure had been assumed by each as a retaliation for an asserted acquiescence in the aggressions of the other, it was reasonably expected that the occasion would have been seized by both for evincing the sincerity of their profession, and for restoring to the commerce of the United States its legitimate freedom. The instructions to our ministers with respect to the different belligerents were necessarily modified with reference to their different circumstances, and to the condition annexed by law to the executive power of suspension, requiring a degree of security to our commerce which would not result from

he United States then trade ......

to her enemy, in case of his failure to rescind his decrees on France no answer has been received, nor any indication the insite change in her decrees is contemplated. The favorable received proposition to Great Britain was the less to be doubted, as he soil council had not only been referred for their vindication to an attence on the part of the United States no longer to be pretended the arrangement proposed, while it resisted the illegal decreance, involved, moreover, substantially, the precise advantages proposed at by the British orders. The arrangement has nevertly en rejected.

This candid and liberal experiment having thus failed, and no ent having occurred on which a suspension of the embargo by the utive was authorized, it necessarily remains in the extent originent to it. We have the satisfaction, however, to reflect, that in the privations imposed by the measure, and which our fellower general have borne with patriotism, it has had the important effecting our mariners and our vast mercantile property, as well as of the occasion. It has demonstrated to foreign nations the mode and firmness which govern our councils, and to our citizens the new function in support of the laws and the rights of their country, a nus long frustrated those usurpations and spoliations which, if resist olved war; if submitted to, sacrificed a vital principle of our national entered and the results of the submitted to the laws and the rights of their country.

Under a continuance of the belligerent measures which, in defia aws which consecrate the rights of neutrals, overspread the occulanger, it will rest with the wisdom of Congress to decide on the pest adapted to such a state of things; and bringing with them, as a rom every part of the Union, the sentiments of our constituents, it idence is strengthened, that in forming this decision they will, merring regard to the essential rights and interests of the nation and compare the painful alternatives out of which a choice is to be Nor should I do justice to the virtues which on other occasions have the character of our fellow-citizens if I aid not cherish an equal continuation whatever it may be, will be maintained

British government for redressing a wrong, which, the more it was investigated, appeared the more clearly to require what had not been provided for in the special mission. It is found that no steps have been taken for the purpose. On the contrary it will be seen, in the documents laid before you, that the inadmissible preliminary which obstructed the adjustment is still adhered to; and, moreover, that it is now brought into connexion with the distinct and irrelative case of the orders in council. The instructions which had been given to our ministers at London, with a view to facilitate, if necessary, the reparation claimed by the United States, are included in the documents communicated.

Our relations with the other powers of Europe have undergone no material changes since your last session. The important negotiations with Spain, which had been alternately suspended and resumed, necessarily experience a pause under the extraordinary and interesting crises which distinguishes her internal situation.

With the Barbary powers we continue in harmony, with the exception of an unjustifiable proceeding of the dey of Algiers toward our consul to that regency. Its character and circumstances are now laid before you, and will enable you to decide how far it may, either now or hereafter, call for any measures not within the limits of the executive authority.

With our Indian neighbors the public peace has been steadily maintained. Some instances of individual wrong have, as at other times, taken place, but in no wise implicating the will of the nation. Beyond the Mississippi, the Iowas, the Sacs, and the Alabamas, have delivered up for trial and punishment individuals from among themselves accused of murdering citizens of the United States. On this side of the Mississippi, the Creeks are exerting themselves to arrest offenders of the same kind; and the Choctaws have manifested their readiness and desire for amicable and just arrangements respecting depredations committed by disorderly persons of their tribe. And, generally, from a conviction that we consider them as part of ourselves, and cherish with sincerity their rights and interests, the attachment of the Indian tribes is gaining strength daily—is extending from the nearer to the more remote, and will amply requite us for the justice and friendship practised toward them. Husbandry and household manufacture are advancing among them, more rapidly with the southern than the northern tribes, from circumstances of soil and climate; and one of the two great divisions of the Cherokee nation have now under consideration to solicit the citizenship of the United States, and to be identified with us in laws and government, in such progressive manner as we shall think best.

In consequence of the appropriations of the last session of Congress for the security of our seaport towns and harbors, such works of defence have been erected as seemed to be called for by the situation of the several places, their relative importance, and the scale of expense indicated by the amount of the appropriation. These works will chiefly be finished in the course of the present season, except at New York and New Orleans, where most was to be done; and although a great proportion of the last appropriation has been expended on the former place, yet some further views will be submitted to Congress for rendering its security entirely adequate against naval enterprise. A view of what has been done at the several places, and of what is proposed to be done, shall be communicated as soon as the several reports are received.

Of the gun-boats authorized by the act of December last, it has been

#### JEFFERSON'S EIGHTH ANNUAL MESSAGE.

th necessary to build only one hundred and three in the present year

ie, with those before possessed, are sufficient for the harbors and rs exposed, and the residue will require little time for their construwhen it is deemed necessary. ider the act of the last session for raising an additional military for any officers were immediately appointed as were necessary for on the business of recruiting, and in proportion as it advance ave been added. We have reason to believe their success has actory, although such returns have not yet been received as present to you a statement of the numbers engaged. lave not thought it necessary in the course of the last season ly general detachments of militia or volunteers under the laws at purpose. For the ensuing season, however, they will be in readiness, should their service be wanted. Some small letachments have been necessary to maintain the laws of e portion of our northern frontier which offered peculiar F on, but these were replaced as soon as it could be dot w recruits. By the aid of these, and of the armed vesse I service in other quarters, the spirit of disobedience an ested itself early, and with sensible effect while we w et it, has been considerably repressed. nsidering the extraordinary character of the times in ttention should unremittingly be fixed on the safety people who are free, and who mean to remain so. rmed militia is their best security. It is, therefore,

ery meeting, to revise the condition of the militia, s if it is prepared to repel a powerful enemy at exprise exposed to invasion. Some of the states have in to this chieft, but every decree of perfect in to

ment from the same internal source, and will secure to them peace and the

progress of civilization, undisturbed by practices hostile to both.

The accounts of the receipts and expenditures during the year ending on the 30th day of September last, being not yet made up, a correct statement will hereafter be transmitted from the treasury. In the meantime, it is ascertained that the receipts have amounted to near eighteen millions of dollars, which, with the eight millions and a half in the treasury at the beginning of the year, have enabled us, after meeting the current demands and interest incurred, to pay two millions three hundred thousand dollars of the principal of our funded debt, and left us in the treasury, on that day, near fourteen millions of dollars. Of these, five millions three hundred and fifty thousand dollars will be necessary to pay what will be due on the first day of January next, which will complete the reimbursement of the eight per cent. stock. These payments, with those made in the six years and a half preceding, will have extinguished thirty-three millions five hundred and eighty thousand dollars of the principal of the funded debt, being the whole which could be paid or purchased within the limits of the law and of our contracts; and the amount of principal thus discharged will have liberated the revenue from about two millions of dollars of interest, and added that sum annually to the disposable surplus. probable accumulation of the surpluses of revenue beyond what can be applied to the payment of the public debt, whenever the freedom and safety of our commerce shall be restored, merits the consideration of Congress. Shall it lie unproductive in the public vaults? Shall the revenue be reduced? Or shall it not rather be appropriated to the improvements of roads, canals, rivers, education, and other great foundations of prosperity and union, under the powers which Congress may already possess, or such amendment of the constitution as may be approved by the states? While uncertain of the course of things, the time may be advantageously employed in obtaining the powers necessary for a system of improvement should that be thought best.

Availing myself of this, the last occasion which will occur of addressing the two houses of the legislature at their meeting, I can not omit the expression of my sincere gratitude for the repeated proofs of confidence manifested to me by themselves and their predecessors since my call to the administration, and the many indulgences experienced at their hands. The same grateful acknowledgments are due to my fellow-citizens generally, whose support has been my great encouragement under all embar-rassments. In the transaction of their business I can not have escaped error. It is incident to our imperfect nature. But I may say with truth, my errors have been of the understanding, not of intention; and that the advancement of their rights and interests has been the constant motive for every measure. On these considerations I solicit their indulgence. Looking forward with anxiety to their future destinies, I trust that, in their steady character unshaken by difficulties, in their love of liberty, obedience to law, and support of the public authorities, I see a sure guaranty of the permanence of our republic; and retiring from the charge of their affairs, I carry with me the consolation of a firm persuasion that Heaven has in store for our beloved country long ages to come of prosperity and happi-

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n that country, it is understood that they have interest increasing o place, according to their convenience, without appropriating t selves exclusively any particular territory. But having now sabituated to some of the occupations of civilized life, they wis ixed residence. I suppose it will be the interest of the United Sencourage the wandering tribes of that country to reduce thems fixed habitations, whenever they are so disposed. The establish towns, and growing attachments to them, will furnish, in some pledges of their peaceable and friendly conduct. The case of ticular tribe is now submitted to the consideration of Congress.

#### SPECIAL MESSAGE.

JANUARY 6, 1809.

To the Senate and House of Representatives of the United States :

I now lay before Congress a statement of the works of defenit has been thought necessary to provide in the first instance, for curity of our seaports, towns, and harbors, and of the progres their completion; their extent has been adapted to the scale of the priation, and to the circumstances of the several places.

The works undertaken at New York are calculated to annoy danger any naval force which shall enter the harbor, and, still r which should attempt to lie before the city. To prevent altog entrance of large vessels, a line of blocks across the harbor has I templated, and would, as is believed, with the auxiliary mean provided, render that city safe against naval enterprise. The ex well as the importance of the work, renders it a subject prope special consideration of Congress.

At New Orleans, two separate systems of defence are necessone for the river, the other for the lake, which, at present, can gi to one another. The canal now leading from the lake, it is not to the canal now leading from the lake, it is not better to me.

# ADMINISTRATION OF JEFFERSON.

On the day of his inauguration as president of the United States, March 4. 1801. Mr. Jefferson was in the 58th year of his age. He delivered his inaugural address in the new capitol at Washington, in presence of the vice-president, the senators, many members of the house of representatives, the foreign ministers, and a large concourse of citizens. The oath of office was administered by Chief-Justice Marshall, after the address was delivered. The vice-president, Colonel Burr, took his seat in the senate the same day. He had taken no part in the election of president by the house of representatives, having been in Albany during that The democratic party in the house were pledged to persevere in voting for Mr. Jefferson to the end, whatever might be the consequence. and none of them varied from that pledge. Colonel Burr, on the 16th of December, 1800, addressed a letter to General S. Smith, of Baltimore, who was then a member of the house of representatives, in which he disclaimed all competition with Mr. Jefferson. "As to my friends," he says, "they would dishonor my views, and insult my feelings, by a suspicion that I would submit to be instrumental in counteracting the wishes and the expectations of the people of the United States. And I now constitute you my proxy to declare these sentiments, if the occasion should require." Notwithstanding this course of Colonel Burr, the contest in Congress produced, almost immediately after the election, strong feelings of dissatisfaction between some of the friends of the president and vice-president. Jealousies and distrust had previously existed between these different sections of the democratic party, now triumphant in the possession of the power of the federal government. These feelings were suppressed for a time, but circumstances subsequently occurred which renewed them, and the result was the political prostration of the vice-president, before his term of office had expired.

The senate having been called together by President Adams, Mr. Jefferson commenced the organization of his cabinet by the appointment, with the consent of the senate, on the 5th of March, of James Madison, secretary of state, Henry Dearborn, of Massachusetts, secretary of war, and Levi Lincoln, of Massachusetts, attorney-general. The secretaries of the

treasury and navy, Samuel Dexter and Benjamin Stoddert, who had been appointed by Mr. Adams, were continued in office a short time; but before the meeting of Congress, Albert Gallatin, of Pennsylvania, was appointed secretary of the treasury, and Robert Smith, of Maryland, secretary of the navy. At the same time with the last, Gideon Granger, of Connecticut, was appointed postmaster-general, in place of Joseph Habersham, of Georgia. This officer was not made a member of the cabinet until the administration of President Jackson. The nominations of Gallatin, Smith, and Granger, were confirmed by the senate on the 26th of January, 1802.

In his inaugural speech, Mr. Jefferson soothed the serious apprehensions, which were entertained by his political opponents, as to the manner in which he might exercise executive power. From his declarations in that address, the federalists hoped that he would not disturb those of their party who were in office, or cause any radical change in the administration of the government. They were soon made to understand that political tolerance was not to be expected in all cases toward officeholders. In June, 1801, Mr. Jefferson removed Elizur Goodrich, a federalist, from the office of collector of the port of New Haven, and appointed Samuel Bishop, a democrat, in his place. In reply to a remonstrance from the merchants and other citizens of New Haven, in which they assert Mr. Goodrich's promptness, integrity, and ability; and better qualifications than those of Mr. Bishop, who was nearly seventy-eight years of age, and quite infirm, Mr. Lefterson and the citizens of the party of the

thrown as much as possible on delinquency, on oppression, on intolerance, on anti-revolutionary adherence to our enemies.

"I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government, to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise them to their just share. But their total exclusion calls for prompter corrections. I shall correct the procedure; but that done, return with joy to that state of things when the only questions concerning a candidate shall be, Is he honest? Is he capable? Is he faithful to the constitution?"

It should be borne in mind that most of the persons who were in office when Mr. Jefferson came into power, were those who had been appointed by General Washington, and continued in their places by Mr. Adams, who made very few removals, and none for party reasons. If there was anything sectarian, then, in the system of appointments to office, it was chargeable more to General Washington than to Mr. Adams. The democratic party, however, had scarcely a name or an existence when Washington's administration commenced; and when the first appointments were made under the general government, reference could not have been had to political distinctions. Those who received appointments from Washington were doubtless preferred for their integrity, capacity, and fidelity to the constitution.

But Mr. Jefferson had been elected by a party, and was under the necessity of rewarding his supporters with offices and incomes; and in his letter, quoted above, may be found the origin of the doctrine, "to the victors belong the spoils." But it is due to him to say, that although he confined his appointments to office to his political friends, as did generally his successors, Presidents Madison and Monroe, his removals of political opponents from office, during the eight years of his administration, were but few in number, compared with those of more recent administrations.

The implied invitation given by Mr. Jefferson to all political adversaries, to abandon their creeds and adopt his own, with the expectation and implied promises of reward for apostacy, induced many of the federalists to join the triumphant party of the administration, some of whom were appointed to office under the general government. To prove their sincerity, they resorted to the bitterest condemnation of their former principles and associates. Sustained by the salaries of office, and raised by titles above those they had deserted, they could clearly see how base, plotting, and traitorous, some of their fellow-citizens were, with whom, but yesterday, they were proud to rank, and most zealous to uphold, as worthy patriots. There were instances of departure from the federal side distinguishable from such as have been mentioned, and which did not deserve reproach.

There were timid men who did not entirely approve of federal views of the national policy; others, who thought themselves not to have been sufficiently valued by their federal associates; and some were by nature and inclination Jeffersonians, and who originally mistook their side, and very properly went over where they belonged.\*

Mr. Jefferson said that he regarded all the appointments made by Mr. Adams after the 14th of February, while the house of representatives was balloting for president, as absolutely void. This must be understood to mean that, though Mr. Adams was constitutionally president up to the midnight hour of the 3d of March, yet he ought to have submitted his will to that of his successor. On the same principle, Mr. Jefferson withheld the commissions of certain magistrates whom Mr. Adams had appointed, in the District of Columbia. The commissions were made out, and ready for delivery, but Mr. Jefferson ordered them to be suppressed. One of these magistrates (Mr. Marbury) applied to the supreme court for a writ of mandamus to Mr. Madison, the new president's secretary of state, to deliver his commission. But, after an able investigation of constitutional law, the court did not grant the motion. Mr. Jefferson found a commission duly made out, and signed by Mr. Adams, appointing a gentleman district judge in Rhode Island. This commission he suppressed, and appointed one in whom he could confide.t

The following extracts from Mr. Jefferson's letters, written soon after his election, are interesting, as showing his views and feelings at that time, with regard to events and on questions of public policy. To Governor

openly and firmly, one and all, that the day such an act passed, the middle states would arm, and that no such usurpation, even for a single day, should be submitted to. This first shook them; and they were completely alarmed at the resource for which we declared, to wit, a convention to reorganize the government and to amend it. The very word convention gives them the horrors, as, in the present democratical spirit of America, they fear they should lose some of the favorite morsels of the constitution. Many attempts have been made to obtain terms and promises from me. I have declared to them unequivocally, that I would not receive the government on capitulation; that I would not go into it with my hands tied."

The following extracts from documents published by the sons of the Hon. James A. Bayard, of Delaware, in the National Gazette, of Philadelphia, in December, 1830, in vindication of their father, who was a member of Congress at the time of the presidential election of 1801, are deemed important to illustrate this portion of political history.

Extracts of a letter from George Baer, Esq. (a member of the 6th Congress, from Maryland, in 1801), to Richard H. Bayard, Esq., dated Frederick, April 19, 1830.

"Previous to and pending the election, rumors were industriously circulated, and letters written to different parts of the country, charging the federalists with the design to prevent the election of a president, and to usurp the legislative power. I was privy to all the arrangements made, and attended all the meetings of the federal party when consulting on the course to be pursued in relation to the election, and I pledge my most solemn asseveration that no such measure was for a moment contemplated by that party; that no such proposition was ever made; and that if it had ever been, it would not only have been discouraged, but instantly put down, by those gentlemen who possessed the power, and were pledged to each other to elect a president before the close of the session."

"Although nearly thirty years have elapsed since that eventful period, my recollection is vivid, as to the principal circumstances, which, from the part I was called upon to act, were deeply graven on my memory. It was soon ascertained that there were six individuals, the vote of any one of whom could at any moment decide the election. These were your father, the late James A. Bayard, who had the vote of the state of Delaware, General Morris, of Vermont, who held the divided vote of that state, and Mr. Craik, Mr. Thomas, Mr. Dennis, and myself, who held the divided vote of Maryland. Your father, Mr. Craik, and myself, having compared ideas upon the subject, and finding that we entertained the same views and opinions, resolved to act together, and accordingly entered into a solemn and mutual pledge, that we would, in the first instance, yield to the wishes of the great majority of the party with whom we acted, and vote for Mr. Burr, but that no consideration should induce us to protract

\* See Davis's Life of Burr, and Appendix to Knapp's Life of Burr.

the contest beyond a reasonable period for the purpose of ascertaining whether he could be elected. We determined that a president should be chosen, but were willing thus far to defer to the opinions of our political friends, whose preference of Mr. Burr was founded upon a belief that he was less hostile to federal men and federal measures, than Mr. Jefferson. General Morris and Mr. Dennis concurred in this arrangement."

Extract from the deposition of Hon. James A. Bayard, taken and sworn to, at Washington, April 3, 1806:—

"Messrs. Baer and Craik, members of the house of representatives from Maryland, and General Morris, a member of the house from Vermont, and myself, having the power to determine the votes of the states, from similarity of views and opinions, during the pendency of the election, made an agreement to vote together. We foresaw that a crisis was approaching which might probably force us to separate in our votes from the party with whom we usually acted. We were determined to make a president, and the period of Mr. Adams's administration was rapidly approaching.

"In determining to recede from the opposition to Mr. Jefferson, it occurred to us, that, probably, instead of being obliged to surrender at discretion, we might obtain terms of capitulation. The gentlemen whose names I have mentioned, authorized me to declare their concurrence with me upon the best terms that could be procured. The vote of either of us was sufficient to decide the choice. With a view to the end mentioned, I applied to Mr. John Nicholas, a member of the house from Virginia.

part from the points I proposed. I replied to Mr. Nicholas, that I had not the least doubt of the sincerity of his declaration, and that his opinion was perfectly correct, but that I wanted an engagement, and that if the points could in any form be understood as conceded by Mr. Jefferson, the election should be ended: and proposed to him to consult Mr. Jefferson. This he declined, and said he could do no more than give me the assurance of his own opinion as to the sentiments and designs of Mr. Jefferson and his friends. I told him that was not sufficient, that we should not surrender without better terms. Upon this we separated; and I shortly after met with General Smith, to whom I unfolded myself in the same manner that I had done to Mr. Nicholas. In explaining myself to him in relation to the nature of the offices alluded to, I mentioned the offices of George Latimer, collector of the port of Philadelphia, and Allen M'Lane,\* collector of Wilmington, General Smith gave me the same assurance, as to the observance by Mr. Jefferson of the points which I had stated, which Mr. Nicholas had done. I told him I should not be satisfied, nor agree to yield, till I had the assurance of Mr. Jefferson himself.; but that if he would consult Mr. Jefferson, and bring the assurance from him, the election should be ended. The general made no difficulty in consulting Mr. Jefferson, and proposed giving me his answer the next morning. The next day, upon our meeting, General Smith informed me that he had seen Mr. Jefferson, and stated to him the points mentioned, and was authorized by him to say, that they corresponded with his views and intentions, and that we might confide in him accordingly. The opposition of Vermont. Maryland, and Delaware, was immediately withdrawn, and Mr. Jefferson was made president by the votes of ten states."

The deposition of Mr. Bayard is followed by that of Hon. Samuel Smith, of Maryland, taken 15th of April, 1806, which substantially confirms the above statement of Mr. Bayard.

We give a few further extracts from Mr. Jefferson's letters, to show his views and the progress of political events, after his accession to the presidency.

To John Dickinson, March 6,1801, he writes: "The storm through which we have passed, has been tremendous indeed. The tough sides of our Argosie have been thoroughly tried. Her strength has stood the waves into which she was steered with a view to sink her. We shall put her on the republican track, and she will now show, by the beauty of her motion, the skill of her builders. Figure apart, our fellow-citizens have been led, hoodwinked, from their principles, by a most extraordinary combination of circumstances. But the band is removed, and they now see for themselves. I hope to see shortly a perfect consolidation, to effect which, nothing shall be wanting on my part, short of the abandonment of the prin-

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<sup>•</sup> According to Davis's Life of Burr, these gentlemen, Latimer and M'Lane, were retained in office.

in order to reconcile. I have given, and will give, only cans, under existing circumstances. But I believe, with deprivations of office, if made on grounds of political printwould revolt our new converts, and give a body to leade stand alone. Some, I know, must be made. They must as possible, done gradually, and bottomed on some malver herent disqualification. Where we shall draw the line betting all and none, is not yet settled, and will not be till we ge istration together; and perhaps even then we shall proceed ancing our measures according to the impression we percemake. This may give you a general view of our plan."

To Thomas Paine (then in France) he writes, March 18: of our citizens from the phrensy into which they had been wi by ill conduct in France, partly by artifices practised on the entire, and will, I believe, become quite so. But these de better developed by Mr. Dawson, the bearer of this, a memb Congress, to whom I refer you for them. He goes in the sloop-of-war, which will wait a few days at Havre to receiv You expressed a wish to get a passage to this country in a p Mr. Dawson is charged with orders to the captain of the Ma ceive and accommodate you with a passage back, if you can such short warning. Robert R. Livingston is appointed mi republic of France, but will not leave this till we receive th of the convention by Mr. Dawson. I am in hopes you wi turned generally to sentiments worthy of former times. In be your glory to have steadily labored, and with as much man living. That you may long live to continue your useft to reap their reward in the thankfulness of nations, is my sine To William B. Giles, March 23: "I received, two days

not without pain: that is, the appointments and disappointments as to offices. Madison and Gallatin being still absent, we have not vet decided on our rules of conduct as to these. That some ought to be removed from office, and that all ought not, all mankind will agree. But where to draw the line, perhaps no two will agree. Consequently, nothing like a general approbation on this subject can be looked for. Some principles have been the subject of conversation, but not of determination; e. g., all appointments to civil offices during pleasure, made after the event of the election was certainly known to Mr. Adams, are considered as nullities. I do not view the persons appointed as even candidates for the office, but make others without noticing or notifying them. Mr. Adams's best friends have agreed this is right. 2. Officers who have been guilty of official malconduct are subjects of removal. 3. Good men, to whom there is no objection but a difference of political principle, practised on only as far as the right of a private citizen will justify, are not proper subjects of removal, except in the cases of attorneys and marshals. The courts being so decidedly federal and irremovable, it is believed that republican attorneys and marshals, being the doors of entry into the courts, are indispensably necessary as a shield to the republican part of our fellow-citizens, which, I believe, is the main body of the people. These principles are yet to be considered of, and I sketch them to you in confidence."

To Elbridge Gerry, March 28: "Mr. Adams's last appointments, when he knew he was naming counsellors and aids for me, and not for himself, I set aside, as far depends on me. Officers who have been guilty of gross abuses of office, such as marshals packing juries, &c., I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, and not party passion. The right of opinion shall suffer no invasion from me. Those who have acted well have nothing to fear, however they may have differed from me in opinion."

To Gideon Granger, May 3, 1801: "A new subject of congratulation has arisen. I mean the regeneration of Rhode Island. I hope it is the beginning of that resurrection of the genuine spirit of New England which rises for life eternal. According to natural order, Vermont will emerge next, because least, after Rhode Island, under the yoke of hierocracy. I have never dreamed that all opposition was to cease. The clergy, who have missed their union with the state, the Anglemen, who have missed their union with England, and the political adventurers, who have lost the chance of swindling and plunder in the waste of public money, will never cease to bawl on the breaking up of their sanctuary. But among the people the schism is healed, and with tender treatment the wound will not reopen. Their quondam leaders have been astounded with the suddenness of the desertion: and their silence and appearance of acquiescence have proceeded not from a thought of joining us, but uncertainty what ground to take. The very first acts of the administration.

"The first communication to the next Congress will be, lil quent ones, by message, to which no answer will be expected

"The diplomatic establishment in Europe will be reduministers.

- "The compensation to collectors depends on you, and not
- "The army is undergoing a chaste reformation.
- "The navy will be reduced to the legal establishment by the month.
  - "Agencies in every department will be revised.
  - "We shall push you to the uttermost in economizing.
- "A very early recommendation had been given to the poseral, to employ no printer, foreigner, or revolutionary tory, is offices. This department is still untouched.

"The arrival of Mr. Gallatin, yesterday, completed the org our administration."

To Levi Lincoln, July 11: "The consolidation of our fel in general, is the great object we ought to keep in view; an once obtained, while we associate with us in affairs, to a certhe federal sect of republicans, we must strip of all the me ence the Essex junto, and their associate monocrats in ever Union. The former differ from us only in the shades of given to the executive, being, with us, attached to republican The latter wish to sap the republic by fraud, if they can not of force, and to erect an English monarchy in its place. We sing gradually in the regeneration of offices, and introducing to some share in them. I do not know that it will be pushed was settled before you went away, except as to Essex men. you to make out a list of those in office in yours and the states, and to furnish me with it."

business, and that we all concurred in them. We determined to proceed with deliberation. This produced impatience in the republicans, and a belief we meant to do nothing. Some occasion of public explanation was eagerly desired, when the New Haven remonstrance offered us that occa-The answer was meant as an explanation to our friends. It has had on them, everywhere, the most wholesome effect. Appearances of schismatizing from us have been entirely done away. I own I expected it would check the current with which the republican federalists were returning to their brethren, the republicans. I extremely lamented this effect. For the moment which should convince me that a healing of the nation into one, is impracticable, would be the last moment of my wishing to remain where I am. (Of the monarchical federalists I have no ex-They are incurables, to be taken care of in a mad-house, if necessary, and on motives of charity.) I am much pleased, therefore, with your information that the republican federalists are still coming in to the desired union. I am satisfied that the heaping of abuse on me personally, has been with the design and the hope of provoking me to make a general sweep of all federalists out of office. But as I have carried no passion into the execution of this disagreeable duty, I shall suffer none to be excited. The clamor which has been raised will not provoke me to remove one more, nor deter me from removing one less, than if not a word had been said on the subject. In the course of the summer, all which is necessary will be done; and we may hope that, this cause of offence being at an end, the measures we shall pursue and propose for the amelioration of the public affairs, will be so confessedly salutary as to unite all men not monarchists in principle.

"We have considerable hopes of republican senators from South Carolina, Maryland, and Delaware, and some as to Vermont. In any event we are secure of a majority in the senate; and consequently that there will be a concert of action between the legislature and executive. The removal of excrescences from the judiciary is the universal demand."

The seventh Congress assembled at Washington, on the 7th of December, 1801. In the senate, Aaron Burr, vice-president, presiding, political parties were nearly equally divided, at first, but eventually there was a majority in favor of the administration. Abraham Baldwin (democrat) was elected president pro tem. The majority of the house of representatives was also democratic, and Nathaniel Macon, a distinguished friend of Mr. Jefferson, from North Carolina, was elected speaker. This session of Congress continued till the 3d of May, 1802—138 days. The custom which had been established by General Washington, for the president to deliver in person his address to Congress, after the opening of the session, was discontinued by Mr. Jefferson, who transmitted his communication by message. In this change made by Mr. Jefferson, he appears to have had in view the convenience of Congress, the economy of their time, their

of the diplomatic corps, the hauling up of the navy, the abol tain offices, and revision of the judiciary, were taken into c by Congress. A bill was passed to repeal the recent law esta cuit courts, by which the judges who had been appointed by were expelled from office. In the house of representative great champions in debate on this bill were James A. Bayard B. Giles. The former contended that Congress had not the t prive the judges of their stations, by the indirect course of r law under which they were appointed. In the senate the ty speakers were Gouverneur Morris and Stephens T. Mason. arguments in favor of the repeal were, that the new courts w and that there was no constitutional objection to abolishing the opponents of the administration, an act repealing any part of the system was considered ominous to the independence of the partment, but as no attempt was made to demolish the suprer altering the constitution, and as the new circuit courts might b with, without much inconvenience to the public, the apprehen federalists on this subject gradually subsided.

The other most important acts of this session, were, the ap of representation by the census of 1800, the ratio being conti representative for 33,000 inhabitants; for protecting American and seamen against Tripolitan cruisers which had previous our vessels; for fixing the military peace establishment, whi for the continuance only of one regiment of artillery, two regin fantry, and a corps of engineers to be stationed at West Point, son river, and to constitute a military academy at that place ting trade and intercourse with the Indian tribes, and for the of peace on the frontiers; for discontinuing the several acts I nal taxes on stills, distilled spirits, refined sugars, carriages.

izing the people of the eastern division of the territory northwest of the Ohio river (Ohio), to form a constitution and state government, and for admitting such state into the Union; authorizing the erection of certain lighthouses; and for altering and establishing certain postroads, and for the more secure carriage of the mail. The act passed in 1799, to augment the salaries of certain officers of government, was revived, and continued in force for two years.

An attempt was made to discontinue the mint establishment, on account of the great expense attending it, but the senate did not concur in the bill for that purpose which passed the house. A proposition for abolishing the navy department, and placing the concerns of the navy under the direction of the secretary of war also failed at this session. The disbanding of the provisional army, which had been ordered by the preceding Congress, operated to reduce very considerably the national expenses. But the act now passed to provide for the redemption of the public debt, was only nominal in its operations; new loans were effected, and the reduction of the debt by the act was only in theory, as the appropriations for expenses for 1802 were more than equal to the receipts of the previous year.

It was the policy of the party now in power, to attach odium to their opponents for the measures of preceding administrations, and to impress upon the public mind the idea that they were more anxious than their predecessors to secure the liberty and to lessen the burdens of the people. But, in many important particulars, the course pursued by former administrations, was still followed; the democratic party being satisfied with the possession of the control of the appointing power of the general government, and with the repeal of such prominent federal measures as they deemed unpopular. They were not, therefore, anxious to suggest new measures of a positive character.

The report of the new secretary of the treasury stated that the accounts of his federal predecessor in that department, also of the state, war, and navy departments, were correct; no delinquencies having occurred.

At the second session of the same Congress, which lasted from the 6th of December, 1802, to the 3d of March, 1803, no changes in the general policy of the administration being proposed by the president, but few acts of general interest were passed; the most important was a law to prevent the importation of negroes, mulattoes, or other persons of color (not being natives, citizens, or seamen of the United States, or seamen, natives of countries beyond the Cape of Good Hope), into any port of the United States within a state which had prohibited by law the admission of any such negro or person of color, under penalty of one thousand dollars and the forfeiture of the vessel in which such person was imported. The time had not then arrived when the importation of slaves was prohibited by the constitution, and this law was passed in conformity to the laws of certain states which had been passed to prohibit the importation of slaves.

Another important act of this Congress, was one which authorized the president to call upon the executives of such of the states as he might deem expedient, for a detachment of militia, not exceeding eighty thousand, or to accept the services of any corps of volunteers, in lieu of militia, for a term of twelve months. Twenty-five thousand dollars were, by the same act, appropriated for the erection of arsenals on the western waters.

There was at this time much apprehension of a war with Spain, which induced Congress to take the measures of precaution abovementioned. The disputes with the Spanish government respecting the southwestern boundary line of the United States, and the right of navigating the Mississippi, had often caused difficulties between the people of the west and southwest and the Spanish authorities and inhabitants of the Spanish territories. These affairs assumed a new aspect by the intelligence received in the United States in the spring of 1802, that Spain, by a secret treaty, in October, 1800, had ceded Louisiana to France. By a treaty with Spain, in 1795, that government had granted to the United States the right of deposite at New Orleans for three years, after which the privilege was either to be continued, or an equivalent place assigned on another part of the banks of the Mississippi. In October, 1802, the Spanish intendant declared, by proclamation, that the right of deposite at New Orleans no longer existed.

This measure caused much excitement among the people of the western states and territories in the valley of the Mississippi. Congress was Britain and antagonists of France. He then suggests, however, that if France considers Louisiana as indispensable to her interests, she may still cede to the United States the island of New Orleans and the Floridas. That this cession would, in a great degree, remove the causes of irritation, and at any time prevent the necessity of resorting to arrangements with Great Britain.

The cession of Louisiana to France, was first communicated to Congress by the president, in his annual message, in December, 1802, in which the subject is briefly noticed. It was, however, soon seized upon by the opponents of the administration, and resolutions were offered by Mr. Griswold, of Connecticut, in the house, calling upon the president for information respecting the cession of Louisiana; and in the sepate, by Mr. Ross, of Pennsylvania, seconded by Gouverneur Morris, of New York, authorizing the president to take possession of such places in or near New Orleans as he deemed fit, and to call into service the militia of the adjoining states with the forces of the nation.

These resolutions were superseded by others, but the right of navigating the Mississippi was asserted by both houses, and a place of deposite insisted on.

The president seemed to think that it was the object of the federal party in Congress to force the country into a war with Spain, "in order to derange our finances," and if that could not be done, "to attach the western country to them, as their best friends, and thus get again into power." With a view of carrying his pacific policy into effect, he, on the 10th of January, 1803, appointed James Monroe, minister plenipotentiary to France, to act with Mr. Livingston in the purchase of New Orleans and the Floridas. The nomination of Mr. Monroe was confirmed by the senate, and Congress appropriated, at the request of Mr. Jefferson, two millions of dollars for the objects of the mission.

The instructions to Messrs. Monroe and Livingston only asked for the cession of the city of New Orleans and the Floridas; that the course of the Mississippi should be divided by a line that would put New Orleans within the territory of the United States, thus securing the free navigation of the river. Projects for the cession of the entire colony of Louisiana, were at that time neither popular, nor, if entertained by any, were they the subjects of much discussion.

Mr. Livingston, the American minister at Paris, was persuaded that the United States would never possess New Orleans by treaty, and that it ought to be taken by force. Mr. Monroe sailed from New York on the 8th of March, 1803, but as the object of his mission was kept secret, the public apprehension was not quieted.

Napoleon Bonaparte was then first consul of France. He supposed, when informed of the instructions to Monroe and Livingston, that those ministers were authorized, if necessary, to enter into more extended stip-

ulations in relation to the projected acquisition. Europe was then enjoying a momentary respite after the wars and revolutions she had undergone. But another war was about breaking out between France and England.

The Marquis de Marbois was directed by Napoleon to negotiate with the American ministers. "Irresolution and deliberation," said the first consul, "are no longer in season. I renounce Louisiana. It is not only New Orleans that I will cede; it is the whole colony, without any reservation. I know the price of what I abandon, and I have sufficiently proved the importance that I attach to this province, since my first diplomatic act with Spain had for its object the recovery of it. I renounce it with the greatest regret. To attempt to retain it would be folly. I direct you to negotiate this affair with the envoys of the United States. Do not even wait the arrival of Mr. Monroe: have an interview this very day with Mr. Livingston. But I require a great deal of money for this war, and I would not like to commence with new contributions. If I should regulate my terms, according to the value of these vast regions to the United States, the indemnity would have no limits. I will be moderate, in consideration of the necessity in which I am of making a sale. But keep this to yourself. I want fifty millions [francs], and for less than that sum I will not treat; I would rather make a desperate attempt to keep those fine countries. To-morrow you shall have full powers. Mr. Monroe is on the point of arriving. To this minister the president must have given secret instructions, more extensive than the ostensible authorization of Congress, for the stipulation of the payments to be made. Neither this distrustful, Mr. Livingston feared that the overtures relating to Louisiana were only an artifice to gain time. He received, without putting entire confidence in it, the overture which was made to him by Marbois, of a cession of the whole province. However, after some discussion on a sum that was vaguely brought forward, he refused to go beyond thirty millions of francs, saving an augmentation of this price by the amount of the indemnity to be given for the prizes taken from the Americans in time of peace. He was, indeed, unwilling to agree upon so high a price, unless the stipulation was accompanied by a clause of not making any payments till after the ratification by Congress.\*

These preliminary discussions were scarcely entered upon, when information was received of the arrival of Mr. Monroe at Havre. Mr. Livingston, who, Marbois says, was always inclined to feel distrust, in consequence of the many deceptions that had been previously practised upon him, wrote to Mr. Monroe on the 10th of April, to whom he says: "I congratulate you on your safe arrival. We have long and anxiously waited for you. God grant that your mission may answer your and the public expectation. War may do something for us, nothing else would. I have paved the way for you, and if you could add to my memoirs an assurance that we were now in possession of New Orleans, we should do well"

Mr. Monroe arrived at Paris on the 12th of April, 1803. "I wish," said Mr. Livingston to him, "that the resolution offered by Mr. Ross, in the senate, had been adopted. Only force can give us New Orleans. We must employ force. Let us first get possession of the country, and negotiate afterward." Mr. Monroe, anxious, though not discouraged, began his conferences the next day, with M. de Marbois. The powers of which he (Monroe) was the bearer, were common to him and Mr. Livingston. The French and American ministers had an equal interest in not allowing the negotiation to linger; it had at last a central point, and made rapid The first difficulties were smoothed by a rare circumstance. The plenipotentiaries, having been long acquainted, were disposed to treat one another with mutual confidence. Marbois had been engaged for thirty-five years in public affairs of great importance. He had, during the whole war of the American revolution, resided near the Congress. The affairs of America had long been familiar to him, and two years and a half of exile to Sinnamari had made him still better acquainted with the wants and general condition of the French colonies.

The three negotiators had seen the origin of the republic of the United States, and for a long time back their respective duties had established between them an intercourse on public affairs, and an intimacy which does not always exist between foreign envoys and the ministers of the powers to whom they are sent. This good understanding of the plenipotentiaries

• Marbois's History of Louisiana.

did not prevent their considering it a duty to treat, on both sides, for the conditions most advantageous to their respective countries.

Mr. Monroe did not hear without surprise the first overtures that were frankly made by M. de Marbois. Instead of the cession of a town and its inconsiderable territory, a vast portion of America was offered to the United States. They only asked for the mere right of navigating the Mississippi, and their sovereignty was about to be extended over the largest rivers of the world. They passed over an interior frontier to carry their limits to the great Pacific ocean.

Deliberation succeeded to astonishment. The two joint plenipotentiaries, without asking an opportunity for concerting measures out of the presence of the French negotiator, immediately entered on explanations, and the conferences rapidly succeeded one another.

The negotiation had three objects: First, the cession, then the price, and finally, the indemnity due for captures by the French of American vessels and cargoes. The subject of the cession was first considered. The full powers of the American plenipotentiaries only extended to an arrangement respecting the left bank of the Mississippi, including New Orleans. It was impossible for them to have recourse to their government for more ample instructions. Hostilities were on the eve of commencing between France and England. The American envoys had not to reflect long to discover that the circumstances in which France was placed, were the most fortunate for their country.

M. de Marbois, from whose history of the cession of Louisiana we have

French negotiators, were annexed to the treaty, as well as referred to in it. The first related to the payment of the price of the cession. The first consul [Bonaparte], supposing that he carried his valuation very high, had said that he calculated on fifty millions of francs. The French plenipotentiary [Marbois], without entering into any explanation with him, considered this estimate a good deal too low, and, as soon as the price became the subject of conference, stated that it was fixed at eighty millions, and that it would be useless to propose a reduction.

The American plenipotentiaries could not have foreseen that the negotiation would become so important, and they were without special powers to consent to pay the price that was demanded. "Our fellow-citizens," said Mr. Livingston, "have an extreme aversion to public debts; how could we, without incurring their displeasure, burden them with the enormous charge of fifteen millions of dollars?"

M. de Marbois, on his part, insisted upon the first demand of eighty millions, and said, that for the United States, this was a sum very much below the true value of these immense territories.

The two plenipotentiaries finally acquiesced, on condition that twenty millions out of the eighty should be employed in a manner settled by a special convention. This became the third instrument in the negotiation. The cession of Louisiana afforded the means of realizing promises made by the French government, that had been long illusory, namely, to pay the claims of Americans arising from requisitions, seizures, and captures of ships, made in time of peace. The American negotiators consented to pay eighty millions of francs for Louisiana, on condition that twenty millions of this sum should be assigned to the payment of what was due by France to the citizens of the United States.

The payment of the sixty millions of francs to the French government was made through Messrs. Hope and Labouchere, of Amsterdam, and Barings, of London, as no French banker was willing to become the medium of so considerable a pecuniary transaction. The terms agreed on, as well for the payment of what was due to the French treasury, as for the indemnity to the American merchants, were punctually observed. For the payment of the sixty millions, it was agreed that the government of the United States was to create a stock of eleven millions two hundred and fifty thousand dollars, bearing an interest of six per cent. per annum, payable half-yearly in London, Amsterdam, or Paris; the principal of the said stock to be reimbursed at the treasury of the United States in annual payments of not less than three millions of dollars each; of which the first payment was to commence fifteen years after the date of the exchange of ratifications; the stock to be transferred to the government of France, or their agents, in three months after the exchange of the ratifications of the treaty, and after Louisiana should be taken possession of by the United States.

The treaty was concluded on the 30th of April, 1803, and the respective instruments which, were drawn up in French and English, were signed by the three ministers four days afterward. Two months had not then elapsed since Mr. Monroe had sailed from New York for France. As soon as they had signed the important papers, the negotiators rose and shook hands, when Mr. Livingston, expressing the general satisfaction, said: "We have lived long, but this is the noblest work of our whole lives. The treaty which we have just signed has not been obtained by art, or dictated by force; equally advantageous to the two contracting parties, it will change vast solitudes into flourishing districts. From this day the United States take their place among the powers of the first rank; the English lose all exclusive influence in the affairs of America."

The first consul had followed with a lively interest the progress of this negotiation. It will be recollected that he had mentioned fifty millions as the price which he would put on the cession; and it may well be believed that he did not expect to obtain so large a sum. He learned that eighty millions had been agreed on; but that they were reduced to sixty, by the stipulation for American claims on France. To this he at first objected, but being brought to recollect that he had consented to a much smaller sum, he said to Marbois: "It is true, the negotiation does not leave me anything to desire: sixty millions for an occupation that will not, perhaps, last for a day! I would that France should enjoy this unexpected capital, and that it may be employed in works beneficial to her marine. This accession of territory strengthens for ever the power of the United States;

or disregarded, it would prove a most injurious precedent. The government, it was said, might as well purchase Canada, Nova Scotia, Mexico, or Cuba. "There were," says Bradford, "probably some party prejudices operating to produce or reiterate these objections, and to represent the act as at once arbitrary and unconstitutional. The purchase was long a topic of dispute between the friends and the opponents of the administration." Some of the leading federalists, of enlarged views, however, approved of the measure. Among these may be named Gouverneur Morris, whose opinions on this subject have been confirmed by the national experience.

The area of the country thus ceded, according to the claims of France, and the estimate of Mr. Jefferson, exceeded a million of square miles; but all, except a very small proportion of it, was occupied by savages, its natural proprietors. Its inhabitants were principally French, and descendants of French, with a few Spanish creoles, Americans, English, and Germans. The whole number amounted to 80,000, or 90,000 inhabitants, including about 40,000 slaves.

The preceding statements confirm the remarks of Mr. Tucker, in his life of Jefferson: "The American ministers, instead of merely purchasing New Orleans and the Floridas, as had been the first and main object of Mr. Jefferson, were able to effect a purchase of all Louisiana, equal in extent to the whole previous territory of the United States. They owed their good fortune to the war which was so suddenly renewed between France and England, when the government of France, convinced that the possession of Louisiana would soon be wrested from her by the superior naval power of England, readily consented to make sale of it to a third power, and the rather, as the purchase-money was particularly acceptable to France at that time. If fortune had a full share of agency in this acquisition, it is no small praise to the administration that they had foreseen the probability of the result, and had promptly and skilfully availed themselves of the occasion so as best to secure and promote the aggrandizement of their country."

Mr. Jefferson did not think that the constitution authorized this addition to the territory of the United States, and he considered that it would be necessary to obtain a special amendment for that purpose. In a letter to Mr. Breckenridge, he remarks: "The constitution has made no provision for our holding foreign territory, still less for incorporating foreign nations into our Union. The executive, in seizing the fugitive occurrence which so much advances the good of their country, have done an act beyond the constitution. The legislature, in casting behind them metaphysical subtleties, and risking themselves like faithful servants, must ratify and pay for it, and throw themselves on their country for doing for them unauthorized, what we know they would have done for themselves, had they been in a situation to do it. But we shall not be disavowed by the nation,

and their act of indemnity will confirm and not weaken the constitution, by more strongly marking out its lines."

The contemplated amendment to the constitution, or "act of indemnity," as Mr. Jefferson calls it, never took place. The treaty received the sanction of the government in its different branches, and the measure was so generally acquiesced in by the people, that after a time it ceased to be a disputed question, either of constitutionality or expediency.

Mr. Jefferson suggested that the less that was said about any constitutional difficulty, the better; and that it was desirable for Congress to do what was necessary in silence. This caution was probably dictated from an apprehension of the effect of such discussions in France, the government of which, as the American ministers were informed, showed a disposition to declare the treaty void, if any pretext were furnished by the United States.

The president, with a view to provide for carrying the Louisiana treaty into effect, called Congress together on the 17th of October, 1803, about three weeks earlier than the day that had been previously fixed by the preceding Congress, when they adjourned in March, 1803.

This was the eighth Congress, and there was a large democratic majority in both branches. Nathaniel Macon, of North Carolina was again chosen speaker of the house.

The treaty was ratified by the senate on the 20th of October, by a vote of 24 to 7, and on the 22d it was officially communicated to both houses, that they might provide for its execution. An act of Congress was

constitution, which was, that two persons, fully qualified for the office of chief magistrate, should be voted for, without a specific and exclusive designation of one to the presidency; and thus in case of the death of one, the other, who would succeed, would be equal to the discharge of the high trust. But the political friends of the president were resolved to prevent the recurrence of a similar difficulty with that which had hazarded the choice of Mr. Jefferson in 1801. They also urged in favor of the proposed alteration of the constitution that it was more simple, direct, and proper, to designate which candidate was intended to be president, by the votes of the electors.

The amendment was agreed to, by the votes of two thirds of the members of both branches of Congress, and within the year 1804 it was ratified by the legislatures of three fourths of the several states, as required by the constitution. Thirteen states were in favor of it, and three states only, namely, Massachusetts, Connecticut, and Delaware, disapproved of the change. This amendment, which forms the 12th article of the amendments to the constitution, was announced by the secretary of state, in a public notice dated the 25th of September, 1804, as having been duly adopted and ratified.

At this session of Congress the salaries of the principal officers of the government were raised nearly twenty per cent. Additional duties were imposed on imports to defray the expenses of the naval establishment then required in the Mediterranean to protect American commerce from the piratical cruisers of Tripoli. The United States navy employed in that sea was small in force, but effectual in checking the operations of the pirates of that quarter. The American officers and men gained much reputation by their valor and good conduct in the contest with Tripoli.

An additional law was passed by Congress on the subject of the naturalization of aliens, and the time of residence required previous to their becoming citizens was placed on its original footing of five years, instead of fourteen. The federalists opposed this law, as they deemed it unreasonable to admit foreigners to all the rights of those born and educated in the United States, until they had resided a longer time in this country, while they were readily allowed protection and equal justice. By a law passed in March, 1804, respecting Louisiana, two separate governments were established in that territory, to be organized as the president might direct.

Judge Pickering, of the district court of the United States for New Hampshire, was impeached before the senate by the house of representatives at this session. The charges against him being proved, showing his unfitness for conducting the business of the court, in consequence of occasional intoxication, he was found guilty, and dismissed from office. house of representatives also decided to prepare articles of impeaching against Judge Chase, of Maryland, of the supreme court of the Uni

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States, and against Judge Peters, of Pennsylvania, of the United States district court. A committee was appointed to draw up articles in form, but the subject was postponed to the next session.

The friends of the judiciary system and of the independence of the courts, were alarmed at these proceedings, which they thought indicated a disposition in the democratic party to seek occasions to attack the judges and render them odious to the people. Judge Peters was charged with arbitrary and illegal conduct, and the facts alleged were considered fully proved, but his intended impeachment was not further prosecuted. The charges against Judge Chase were for similar oppressive and arbitrary conduct in the trial of a person indicted for treason, and for displaying malignant and party feelings on several occasions, particularly in the trial of a person in Virginia, under the sedition act. The trial before the senate, at the next session, on this impeachment, resulted in the acquittal of the judge.

The bankrupt law which had been enacted under Mr. Adams's administration, was repealed at the first session of the eighth Congress, at the instance, it is believed, of Mr. Jefferson, and certainly with his hearty concurrence, as we are informed by his biographer, Mr. Tucker. As this law authorized a majority of the creditors to discharge a bankrupt trader from all his preceding debts, it was regarded by many of the other classes of the people as an invidious privilege to the mercantile community; es-

pecially in the southern states, where the agricultural pursuits are predominant. It was, for this and other reasons, not viewed with favor by a ocean. The exploring party was absent on this service about two years and three months.

The difficulties with Spain had been of long continuance, and related principally to claims to territory on the Mississippi, and numerous spoliations by Spain on American commerce. Some of the people of the United States were in favor of a war with Spain at this period, but pacific counsels prevailed. The objections Spain had made to the Louisiana treaty had been withdrawn, but new difficulties arose in attempts to negotiate a treaty respecting the boundaries and other matters in dispute.

The presidential election coming on in 1804, Mr. Jefferson was nominated for re-election, and George Clinton, of New York was placed on the ticket with him as a candidate for vice-president, in place of Colonel Burr, who had lost the confidence of the democratic party, which had elected him in 1801. The federalists nominated Charles Cotesworth Pinckney, of South Carolina, for President, and Rufus King, of New York, for vice-president. The result showed the great popularity of Mr. Jefferson's administration; the republican candidates receiving 162 votes, and the federal candidates but 14.

The war with Tripoli was brought to a close by the vigor and energy displayed by the American squadron in the Mediterranean; five frigates having been sent to that quarter in 1804, under the command of Commodore Preble, who soon brought the bey to terms, and peace was restored.

The second session of the eighth Congress commenced on the 5th of November, 1804, and terminated with the expiration of Mr. Jefferson's first term, on the 3d of March, 1805. The public debt had been increased by the purchase of Louisiana, and the Mediterranean fund, or extra duties on imports, was continued, to pay the expenses of the war with Tripoli. For the defence of the American seacoast, the president recommended the gunboat system, which in fact had been commenced in 1803, by an act of Congress authorizing a certain number of gunboats to be built. More of these vessels were now advised by the president, as the cheapest and most effectual means of defence for the harbors of the United States. Congress, neither fulfilling the wishes of the executive, nor altogether resisting them, gave Mr. Jefferson the means of partially trying his favorite scheme, by the appropriation of sixty thousand dollars.

The sufficiency of this species of naval defence occasioned a good deal of discussion at this time, between the opponents and the supporters of the administration. A navy had been vehemently opposed by the republican party-during Mr. Adams's presidency, as altogether unsuited to the means of the United States, as inadequate to its defence, and more injurious to their commerce by involving the country in war, than by any protection it could afford. In the meanwhile, the insults to which our

• Bradford.

who were assigned to this service. To stem the current ion, which set so strong against these gunboats, and to t favor, Mr. Jefferson prevailed on Thomas Paine to become through the newspapers. He set about it with his wonted but in spite of his logic, the public, pinning its faith on ex remained incredulous, and when, soon afterward, many of t were driven ashore in a tempest, or were otherwise des seemed to regard their loss as a misfortune; and the office did not affect to conceal their satisfaction; nor has any attermade to replace them.

During this session of Congress there was far less of pendent discussion on the measures proposed by the friends istration, than had been previously practised in both brantional legislature. It appeared that on the most important course adopted by the majority was the effect of caucus are in other words, had been previously agreed upon at meeting ocratic members held in private. Thus the legislation of constantly swayed by party feelings and pledges, rather that sound reason or personal conviction. Two important laws at this session, intended to prevent the hostile and predator sons on board of foreign vessels in the harbors and ports of States; and to regulate the clearance of armed Americansels.†

The second presidential term of Mr. Jefferson commenc of March, 1805. On that occasion he delivered an inaugura fore the members of moral duties." He speaks with exultation of the reduction of taxes and suppression of unnecessary offices, and yet with a revenue, which is levied on foreign luxuries, and paid by wealthy consumers, is sufficient to defray the expenses of the government, to fulfil contracts with other governments and the Indians, and to afford a surplus sufficient to redeem the public debt within a short period. That the revenue, when thus liberated, may by a just repartition among the states, and a correspondent amendment to the constitution, be applied, in time of peace, to "rivers, canals, roads, arts, manufactures, education, and other great objects, in each state, and in time of war, it may meet all the annual expenditure within the year. He suggests that the newly-acquired territory will pay for itself before we are called upon to pay the purchase money. He notices and answers the objection that our territory has thereby been too much enlarged. He speaks of the condition of the Indian tribes as imposing new duties both on our justice and humanity—says that now being reduced within limits too narrow for the hunter's state, they should be taught agriculture and the domestic arts, and thus be prepared for civilized society; that their own prejudices present great obstacles to this change, for they too "have their anti-philosophers," who dread reformation.

In presenting the foregoing outline of his administration, he disclaims arrogating to himself the merit of the measures which, he says, is due to the character of his fellow-citizens, their representatives in Congress, and his associates in the executive department. Adverting to the virulence of the press against him, he says that the punishment of the offenders had been left altogether to the public indignation; that the experiment thus made whether "freedom of discussion, unaided by power, was not sufficient for the protection and propagation of truth, had proved successful;" that our fellow-citizens, when called to decide the question by their suffrage, " had pronounced their verdict, honorable to those who had served them, and consolatory to the friend of man, who believes he may be intrusted with his own affairs." He disclaims making any objections to the laws of the states against defamatory publications, which he thinks may exercise a salutary coercion; and in allusion to the sedition laws, says that they draw the only definite line between the inestimable liberty of the press and its demoralizing licentiousness. "If," he remarks, "there is any impropriety which the state laws can not reach, the defect may be supplied by the censorship of public opinion." He congratulates the country on the union of sentiment lately manifested, and anticipates that those who have not yet rallied to the same point, have an increasing disposition to do so; in the meantime, forbearance is inculca-He speaks with confidence of the principles which will govern him in his future administration. He is sensible of no passion which could " seduce him knowingly from the path of justice, but being liable to err,

Three days after the annual message of the president wa to Congress, he sent in a confidential message on the sub tions with Spain, the controversies with that power still r tled. This message was referred to a select committee John Randolph, of Virginia, was chairman, and by the this subject, it soon became evident that Mr. Randolph, wh sidered a leader in the ranks of the democratic party in the longer to be relied on as a supporter of the administration.

The cause of this gentleman's defection and opposition formed by Mr. Tucker, in his life of Jefferson), was his direction of the president to appoint him minister to England solicited by Mr. Randolph himself, but applied for by some delegation in Congress, who urged the executive to give himent. When the application and rejection were made Randolph, he was deeply offended, and was soon found the opposition, the public referring his change to his resem-

On the 3d of January, 1806, the select committee, of w dolph was chairman, made a report declaring that the a Spain afforded ample cause of war, but that peace was the terest of the United States, and they hoped that Spain wou for fulfilling her engagements, and preserving her friendly the United States. Yet, as their territory had been insulte tee submitted a resolution—that such a number of troops a should deem sufficient to protect the southern frontier, b raised.

10.00

On the same day a

debate in secret session, until the 11th of January, the first resolution, for raising troops, was rejected, by a vote of 72 against it to 58 in its favor. The minority was made up of the federal members, and some fifteen or twenty democrats.

Mr. Bidwell's resolution, respecting the appropriation for the purchase of Florida, finally passed, after much debate, and the sum appropriated was two millions of dollars.

The secret debate continued to the 6th of February, during which the minority so far prevailed as to obtain a declaration of opinion that "an exchange of territory between the United States and Spain would be the most advantageous, mode of settling the existing differences about their respective boundaries," to which arrangement it was asserted the president was opposed. The vote, however, in favor of the resolution, was 80 to 52.

The course of Mr. Randolph, who carried a few of the republican party with him, created, at first, a sudden alarm and confusion among those who remained firm in the administration ranks. They, however, soon rallied, and continued in unbroken phalanx for the remainder of Mr. Jefferson's term. The opposition, however, reinforced by the acquisition of Mr. Randolph and his friends, assailed the administration at every point, and often created embarrassment, when they were unable to produce defeat.

The interruptions to American commerce by Great Britain, on the ground that a neutral can not carry on a trade in time of war which is not permitted to it in peace, had excited great feeling throughout all the commercial states; and most of the principal towns had memorialized Congress or the executive on the subject. The continued impressment of American seamen afforded a further cause of complaint. The president having, on the 17th of January, sent a message to Congress on these subjects, with the memorials received by the executive, various propositions were submitted relative thereto, in the house of representatives. On the 17th of March, the house agreed to the policy of prohibiting the importation of specific articles of British growth or manufacture, by a vote of 87 to 35, the federalists generally voting in the minority. The bill laying this prohibition passed the house on the 28th of March, by a vote of 93 to 32-federalists, with Mr. Randolph and two or three of his friends, constituting the minority. On the 15th of April it passed the senate, by a vote of 19 to 9. The prohibition was to take effect on the 15th day of November.

A bill was also passed interdicting all intercourse with the French part of the island of Hayti, which had been revolutionized by the blacks. The sum of one hundred and fifty thousand dollars was appropriated for fortifying the ports and harbors of the United States, and two hundred and fifty thousand dollars for building gunboats.

... passed, nowever, with the :

dent Jefferson, but the question continued to be long aft of controversy between those who were severally disp and a liberal construction of the constitution.

Congress adjourned on the 21st of April, after a most a tentious session, the house of representatives having be constant bickering between the three parties into whic owing to the schism in the republican or democratic p ferred to. Those democrats who acted with Mr. Randol the administration on some leading points of foreign i they voted with the federalists on these questions, and on points, they took especial care not to be considered by the merged in the federal party, not only by their general c by their votes on all questions not involving the policy of tion, on which occasions they concurred with the republica consisted principally of members from Virginia, and were intimate with Mr. Randolph. This same party afterward i accession of strength in Virginia, by bringing forward M. candidate for the presidency, in opposition to Mr. Madis not until the reconciliation of these gentlemen, by the good Jefferson, that its ranks were broken as a party, and the scattered fragments united with the federalists, in opposit and all the leading measures of the administration which p

Immediately after the decision of Congress to appropria of dollars for the purchase of Florida, the president app Armstrong, of New York, and Mr. Bowdoin, of Massachus missioners to effect, if

Paris of all matters of

were carried to France in that vessel, and actually paid to Bonaparte, without any consideration whatever. There was a want of cordiality between the two American ministers at Paris, Messrs. Bowdoin and Armstrong, which gradually ripened into an open collision. Mr. Monroe (who had, after negotiating the Louisiana treaty with France, in 1803, been appointed minister to Great Britain, to succeed Mr. Rufus King) was called upon, in 1805, to join Mr. Charles Pinckney, the resident minister at Madrid, for the purpose of settling with Spain the disputed question of the boundaries of Louisiana. After spending five months with his colleague, Mr. Pinckney, at Madrid, in unavailing efforts to settle the disputes with Spain, Mr. Monroe returned to London in June, 1805. In May, 1806, Mr. William Pinkney, of Maryland, was associated with Mr. Monroe in the negotiation then in progress with Great Britain.

In his private correspondence with Mr. Monroe at this time, Mr. Jefferson expressed a desire for a permanent peace with England. Mr. Fox. the leader of the whig party, being then a member of the British cabinet, Mr. Jefferson wrote to Mr. Monroe as follows: "The late change in the ministry I consider as insuring us a just settlement of our differences, and we ask no more. In Mr. Fox, personally, I have more confidence than in any man in England, and it is founded in what, through unquestionable channels. I have had opportunities of knowing of his honesty and good sense. While he shall be in the administration, my reliance on that government will be solid. We had committed ourselves in a line of proceeding adapted to meet Mr. Pitt's policy and hostility, before we heard of his death [alluding to the non-importation law], which self-respect did not permit us to abandon afterward. It ought not to be viewed by the ministry as looking toward them at all, but merely as the consequences of the measures of their predecessors, which their nation has called on them to correct. I hope, therefore, they will come to just arrangements. No two countries upon earth have so many points of common interest and friendship; and their rulers must be great bunglers indeed, if, with such dispositions, they break them asunder. The only rivalry that can arise is on the ocean. We ask for peace and justice from all nations, and we will remain uprightly neutral in fact, though leaning in belief to the opinion that an English ascendency on the ocean is safer for us than that of France."

In the year 1806, the public mind was much excited by the expedition of Colonel Burr in the western country, which was supposed to have had for its object the dissevering of the Union and the establishment of an independent government west of the Allegany mountains. But the circumstances which were disclosed at his trial seemed rather to indicate an expedition against the Spanish provinces of Mexico and adjoining territories. Burr was arrested near Fort Stoddard, on the banks of the Tombigbee river, then in the Mississippi territory, in February, 1807, and

was proceeding

commodation, since the delay occasioned by the death a ister (Mr. Fox) charged with that duty. He mentioned ican ministers at London (Monroe and Pinkney) had temporary suspension of the non-importation act would fect on the course of the negotiation. In pursuance of tion, a bill was passed in the house on the 6th of Decive dissentients, to suspend the act to the 1st of July, and senate so as to authorize the president to suspend it to day in December succeeding.

An appropriation of one hundred and fifty thousand by the house for building thirty gunboats—ayes 68, no formity with the recommendation of the president, a la prohibit the African slave-trade after the 1st of January, on salt was repealed, and the extra duties for the Mediteri continued. Congress also made a liberal compensation to and Clarke and their companions, in donations of land, for in the important expedition across the Rocky mountains to

In the negotiation of a treaty with Great Britain, Mr. F cabinet, but a short time before his death, was prevented from taking part, and before it had made much progress called upon to mourn for his decease. As Mr. Jefferst complete change of ministry from this event, with his hopful negotiation greatly moderated, he thought it prudent to plicit instructions to the American envoys. They were formed of his views on the subjects of impressments, not blockades, East and India trade, and in were instructed not tree.

ahort of what he conceived to be the just claims of the United States, as well as of his instructions, that he decided at once on not submitting it to the senate, but to try the effect of further negotiation. Besides other objections, there were two that were insuperable. These were, that the treaty contained no provision whatever on the subject of impressment; and because it was accompanied by a note from the British ministers, by which the British government reserved to itself the right of releasing itself from the stipulations in favor of neutral rights, if the United States submitted to the Berlin decree, or other invasion of those rights by France.

The treaty consisted of twenty-six articles, and confirmed the permanent and unexpired articles in Mr. Jay's treaty of 1794. On the subject of the rights of neutrals, and some other points, the two treaties were substantially the same. One of the new features in the treaty of 1806, was, that Great Britain consented that the United States should have a circuitous trade with the colonies of her enemies during the existing hostilities. This treaty was more favorable to the United States than that of 1794, in some respects, and less advantageous in limiting the trade to the British colonies in India to direct voyages, and in providing no compensation for illegal captures. Mr. Tucker, in his life of Jefferson, remarks, that as a treaty of navigation and commerce it was not better than that negotiated by Mr. Jay; and that Mr. Jefferson could not, with any regard either to the equal rights of his country, or to his own consistency, have given it the sanction of his approbation, even had it been free from the two insuperable objections that have been mentioned.

The course of the president, in rejecting the treaty with Great Britain, was soon publicly known, and caused great excitement throughout the nation. The commercial community particularly, regretted the rejection of the treaty, and the federal party were loud in their denunciations of the president, on public occasions, in conversation, and through the opposition press. It was insisted that the president ought to have laid the treaty before the senate; and if they approved, to adopt it, as it was, or to propose some modification of it, as was done in the case of the treaty made with The American envoys, Monroe and Pinkney, had signed the treaty, and they were the political friends of the president; and it was believed that one more favorable could not be obtained; that it was to be preferred to open war, or entire non-intercourse with Great Britain, for which some then contended, as the best policy. A rejection of the treaty, it was feared, might lead to immediate hostilities, and a system of non-intercourse would greatly diminish American commerce and navigation, and also provoke Great Britain to retaliate by increased depredations, under color of exercising her belligerent rights, as necessary to her own safety against the naval policy of France, her powerful rival and enemy.

The democratic party fully justified the president. They insisted that

United States then was; and would have manifested a sin conciliate Great Britain, whose good will toward America portant. The rejection of the treaty had an unfavorable British government and their naval commanders. They the in it an unwillingness on the part of the president to concili or to preserve friendly relations between the two countries

The American ministers who negotiated the treaty with plained of the manner in which it was received, as the highly advantageous to this country, particularly with regar of dispute, namely, the rights of neutrals and the practic adopted by England. On the third point in dispute, that flag should protect all who sailed under it, England, her could not concede this without abandoning her maritime for this point was a sine qua non no adjustment with her couly et Pinkney and Monroe obtained assurances from the B though not in the form of a treaty, which they deemed as was expressly offered by the British government, when it a to take its own subjects wherever found, after requesting to the commander of the vessel to which they then belo ships-of-war should give up any American citizens on bot and proof that they were such.

There can be but little doubt that the refusal to ratify t Great Britain negotiated by Monroe and Pinkney, was a of the embargo and other restrictive measures which soon and finally led to the war of 1812.

The change of ministry in England, by the death of M Mr. Canning in the cabinet, as secretary for for

alterations they proposed in the rejected treaty. The attack on the Chesapeake frigate caused a suspension of correspondence, so that Mr. Canning did not reply to the American ministers until the 22d of October. when, after justifying the reservation made of the right to retaliate the French decrees, and insisting that the subject of the "impressment of British seamen from merchant vessels" formed no part in the treaty, and was entitled only to a separate and subsequent discussion, he protests, in behalf of his government, "against a practice, altogether unusual in the political transactions of states, by which the American government assumes to itself the privilege of revising and altering agreements concluded and signed in its behalf by its agents duly authorized for that purpose : of retaining so much of those agreements as may be favorable to its own views: and of rejecting such stipulations, or parts of stipulations, as are conceived to be not sufficiently beneficial to America." He therefore informs the American ministers that the proposal "for proceeding to negotiate anew, upon the basis of a treaty already solemnly concluded and signed, is wholly inadmissible."\*

In a letter to Mr. Monroe, Mr. Jefferson remarked, if the treaty could not be made more acceptable, the next best thing was to let the negotiation die away insensibly, and in the meantime, to agree informally that both parties should act on the principles of the treaty, so as to preserve a friendly understanding. He adds, that as soon as Mr. Monroe sees the amendment of the treaty is desperate, he can follow his desire of returning home. Mr. Monroe therefore returned to the United States at the close of the year 1807.

At this time the British maintained a squadron which cruised along the coast of the United States, under pretence of enforcing belligerent rights. Vessels-of-war belonging to France and to England might come into the ports of the United States. Those of France came, and those of England came to seek them. Five seamen had deserted from the British sloop-of-war Halifax, in March, 1807, and enlisted on board the United States frigate Chesapeake, then lying in Hampton Roads, and commanded by Captain Barron. Four separate demands were made for these men, but without success; one on Lieut. Sinclair, of the Chesapeake; one by the British consul, on the mayor of Norfolk; one on Captain Decatur; and one by the British minister, on the secretary of state. The Chesapeake sailed with these five men on board, but while going down the bay, all but one deserted and got on shore.

On the 23d of June, when at sea, not far from the capes of Virginia, the Chesapeake was met by the British ship Leopard, of fifty guns, commanded by Captain Humphreys. The Chesapeake carried forty-four guns. Humphreys sent his boat with a note to Barron, informing him that his commanding officer, Admiral Berkeley, had directed him to take any Brit-

ish deserters on board the Chesapeake, by force if necessary, and to allow on his part of a search for American deserters. Captain Barron refused permission to search, and stated that he had instructed his recruiting officer not to enlist British subjects, and that he had no knowledge that any were on board. On this answer being received, the Leopard fired into the Chesapeake, and the latter being taken by surprise, and unprepared for action, did not return the fire, and immediately struck her flag. A boat from the Leopard having been then sent to the Chesapeake, the American officers tendered their swords to the British officer commanding, but he declined receiving them, demanded the muster-roll of the ship, and having taken off four men, whom he claimed as British subjects, left the Chesapeake, which then returned to Hampton Roads. Three of these men had previously entered the British service, but were Americans by birth, and had been formally demanded at Washington.

This was a gross outrage on the part of the British commander, whatever the provocation may have been, because the universally-acknowledged principle is, that a national ship at sea and the territory of its nation are alike inviolable. The British government so understood this matter, and disavowed the act of its officer, and offered a proper and honorable reparation, which was finally accepted before the war, and therefore this did not make one of the causes which led to that calamity.†

This affair of the Chesapeake excited the indignation of the whole country; both parties cordially united in a desire that the honor of the country should be avenged. Many were anxious for a declaration of war clared the British isles in a state of blockade; and, consequently, that every American or other neutral vessel going to, or coming from, these isles, was subject to capture. The same decree provided that all merchandise belonging to England, or coming from its manufactories, or colonies, although belonging to neutrals, should be lawful prize on land. This provision was carried into effect.

General Armstrong, American minister at Paris, regarded the Berlin decree at first as inapplicable to American commerce, on account of the treaty then existing between the United States and France, but in October, 1807, in answer to his inquiry as to the effect of the decree the French minister of foreign relations informed him of his mistake The condemnation of American vessels commenced in November following.

The British government, in retaliation of Napoleon's Berlin decree, issued their famous orders in council, dated November 11, 1807. By these orders, all direct trade from America to any part of Europe at war with Great Britain, or which excluded the British flag, was totally prohibited. Goods, however, were allowed to be landed in England, and, after paying duties, might be re-exported to Europe. On the 17th of December succeeding, the orders in council were followed by the Milan decree of Napoleon, which declared that every vessel that should submit to be searched by a British man-of-war, or which should touch at a British port, or should pay any impost whatever to the British government, should be denationalized, and subject to seizure and condemnation.

These edicts of the two belligerent powers were, of course, destructive to the principal part of the foreign commerce of the United States. American vessels trading directly with French ports were liable to capture by British cruisers; and if they touched at a British port, they were confiscated on arriving in France. The British orders in council operated with the most severity on American commerce, as through their powerful navy the English possessed the means of enforcing them.

The critical situation of our foreign relations induced the president to call the tenth Congress together on the 25th of October, 1807. The democratic majority continued large in both branches. Joseph B. Varnum, a friend of the administration from Massachusetts, was chosen speaker of the house of representatives.

In consequence of the hostile edicts of France and England, the president, in a confidential special message, on the 18th of December, recommended to Congress the passage of an act laying an embargo on all vessels of the United States. The message did not allude to the British order in council, although Mr. Tucker informs us in his life of Jefferson, on the authority of Mr. Madison, then secretary of state, that the government had received information, through an authentic private channel, that the British ministry had issued an order against neutral commerce, in re-

taliation of the Berlin decree; which information was confirmed by a ministerial English newspaper received at the same time.

The subject was immediately discussed in both houses of Congress, in secret session; and a bill laying an embargo was passed on the 22d of December, 1807, at eleven o'clock at night, by a vote of 82 to 44. A similar bill had passed the senate on the very day the subject was introduced, by a vote of 22 to 6. According to this bill, all American vessels were prohibited from sailing for foreign ports; all foreign vessels from taking out cargoes; and all coasting vessels were required to give bond to land their cargoes in the United States.

The embargo was violently opposed by the federal party and their few democratic associates in Congress. It was also extremely unpopular among a large portion of the people, particularly in the states most interested in commerce and navigation.

The federalists throughout the United states, denounced the restrictive measures of the administration, but the democratic party generally approved of and sustained them. There were, however, some exceptions even among that party; and in the city of New York a public meeting was held, soon after the passage of the embargo act by Congress, at which De Witt Clinton, then a leading democrat in the state of New York, presided; and at this meeting resolutions were adopted disapproving of the embargo. The American Citizen, a democratic paper published in that city by James Cheetham, came out decidedly against the measure. Mr. Clinton shortly afterward renounced his opposition, and sustained this

versations and facts which showed that the emperor expected an embargo would be laid by the American government, and that it would meet his approbation. Napoleon had said that there should be no neutrals; that the United States should be decided friends, or he must treat them as enemies. And he predicted in October that an embargo would be laid in America, which was done in December following. Mr. Jefferson used the following language in a confidential letter to the American minister in Paris, in October, 1808: "Bonaparte does not wish us to go to war with England; knowing we have not ships sufficient to carry on such a war. And to submit to pay England the tribute on our commerce, which she demands by her orders in council, would be to aid her in the war against France, and would give the emperor just ground to declare war on us."

Notwithstanding the difficulties in which American commerce was involved by the conduct of both England and France, it was the opinion of men entitled to respect and confidence for their good judgment, that negotiations conducted in a proper spirit would have prevented the difficulties and evils which occurred to the United States; and that more decision and firmness would have prevented war and preserved commercial prosperity. In France, the American envoys expressed surprise that some resentment was not manifested against the French government by that of the United States. And the American ministers in England expressly declared, that a treaty might have been made with that government which, if not in all respects such as was desired, might have been accepted withwithout injury or dishonor to the United States.

The embargo question, and subjects connected with it, occupied much of the time of this session of Congress, which closed on the 25th of April, 1808. The president, on the 2d of February, communicated to Congress the British orders in council of the 11th of November, and on the 17th of March he sent to that body the Milan decree of Napoleon. Spain issued similar decrees soon after the latter.

The committee of Congress to whom these and other documents were referred, made a report on the 16th of April, recommending for the present a continuance of the embargo, but that the president have power to suspend it until the next session of Congress. A law was therefore passed authorizing the executive to suspend the embargo act in the event of a peace in Europe, or of favorable changes in the measures of the belligerents affecting neutral commerce.

Some measures of defence were adopted by Congress; such as the erection and repair of fortifications on the seacoast, and for building and manning a large number of gunboats; for raising eight additional regiments of troops; for detaching one hundred thousand of the militia for service, if required, and for arming the whole body of the militia in the United States.

• Bradford.

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I his correspondence created a new theme for discussion two political parties of the nation; the federalists thought tion wrong in not revoking the proclamation, while the densities also asserted that Mr. Jefferson was indulging his and against England, and furthering the views of France, and bargo was recommended to the party in power chiefly I more injuriously on England than on her enemies.

The operation of the embargo law, although the measure w a majority of the American people, was the occasion of gre ticularly among the commercial community, throughout the and put the patriotism and firmness of all to a severe test. D were on foreign markets for the sale of our redundant prowe were not permitted to export them, they fell to half their and even less. To many of the producers they did not rep production. The supply of foreign merchandise, too, which necessary, and of which there was no domestic supply, or one, being cut off, its price rose proportionally high, and tl ses of the agricultural classes increased in the same propo means of defraying them diminished. It bore still harder and ship-owners, who were thrown entirely out of employn the pressure was most severely felt in the states that were to navigation. It is true it operated as a bounty on manufa king them scarcer and dearer, but this at first benefited b portion of the community.

The embargo was also severely felt by the belligerents, by England. The United States were the most America, naval stores from Sweden, lumber from Nova Scotia, and grain from the Baltic, though at a greater cost; but we, exporting nothing, were unable to import the woollens, linens, silks, hardware, and pottery, to which we were accustomed and which we had not yet learned to make.

Another disadvantage (noticed by the same writer) attending this policy, was the change of trade from the United States, by being forced into new channels. Thus it was long after the peace before the West Indies furnished as extensive a market for American products as before the embargo. Whatever were the hazards of capture, from the edicts of the belligerents, they could be fairly estimated by the merchants, and to prohibit them from employing their capital in this way was to withhold from them a profit within their reach, and was an injury, not only to them, but to the whole class of their customers, whether producers or consumers. It was further injurious in increasing the profits of illicit trade, and, consequently, the temptations to engage in violations of the embargo law, and smaggling, to the injury of patriotic merchants and the benefit of those who disregarded the laws.

The violent opposition to this measure of the administration, gradually weakened the democratic party and strengthened the federalists, particularly in the middle and eastern states. Still the administration were enabled to sustain themselves with a majority of the people. In reference to the operation of the embargo, Mr. Jefferson remarks, in a letter to Doctor Leib on the 23d of June, 1808: "The federalists are now playing a game of the most mischievous tendency, without, perhaps, being themselves aware of it. They are endeavoring to convince England that we suffer more by the embargo than they do, and that, if they will but hold out awhile, we must abandon it. It is true, the time will come when we must abandon it. But if this is before the repeal of the orders in council, we must abandon it only for a state of war. The day is not distant when that will be preferable to a longer continuance of the embargo. But we can never remove that, and let our vessels go out and be taken under these orders, without making reprisal. I think that in two or three months we shall know what will be the issue."

While the nation was greatly agitated by the condition of the country, in view of the critical state of our foreign relations, the presidential election came on. There was some division among the democrats in Virginia with regard to a successor of Mr. Jefferson, as president of the United States. It had been understood generally by the party that Mr. Madison would be selected, but Mr. Monroe's claims were strongly pressed by his personal friends, among whom was John Randolph. On the 23d of January, 1808, soon after Mr. Monroe's return from England, the friends of each candidate tried their strength at a caucus of the members of the legislature of Virginia, when 134 declared in favor of Mr. Madison, and 47

for Mr. Monroe. A caucus of the democratic members of Congress was held at Washington on the same night, when Mr. Madison received 83 votes, Mr. Monroe 3, and George Clinton 3. Mr. Madison was therefore nominated for president; at the same time, George Clinton was nominated for re-election as vice-president.

When the election came on, James Madison received 122 electoral votes for president, and George Clinton 113 votes for vice-president. The federal candidates, Charles C. Pinckney for president, and Rufus King for vice-president, received each 47 votes. Of the democratic votes, 6 were given to George Clinton for president; and for vice-president, 9 were given to John Langdon, 3 to James Madison, and 3 to James Monroe. The states which supported the federal candidates were New Hampshire, Massachusetts, Rhode Island, Connecticut, and Delaware; also two districts in Maryland, and three in North Carolina.

General Armstrong, the American minister at Paris, in 1808, in pursuance of his instructions, remonstrated with M. Champagny, the French minister of foreign relations, against the condemnations of American vessels and cargoes under the Berlin and Milan decrees, which he showed to be clear infractions of the treaty of 1800. To the several remonstrances made by the American minister against the captures and burning of American property, no answer was given by the French government.

Mr. Madison, secretary of state, wrote to General Armstrong on the 29th of May, 1808, to inform him of the power given to the president to suspend the embargo, and requested him to inform the French government festly unjust toward him. The redress should be first made by the party originating the wrong. He professes every disposition to be on amicable terms with the United States; says the depression of other countries is not desired by his nation; that the prosperity of America is essentially that of Great Britain, and her strength and power are not for herself, but for the world. That when a readjustment of the present differences should take place, both nations would better appreciate the value of each other's friendship.

The correspondence betwen Mr. Pinkney and Mr. Canning, extending through a series of letters, was unsatisfactory, and led to no result. The letters of the British minister are more remarkable for a display of wit and sarcasm, than for those qualities which might be expected to distinguish a practical statesman of the admitted talents of Mr. Canning.

On the 7th of November, 1808, Congress assembled, at the time appointed at the last session, and on the 8th Mr. Jefferson sent to both houses his last annual message.

The subject of the foreign relations was, on the 11th of November, referred to a committee of the house of representatives, who, on the 22d, made a report, concluding with three resolutions submitted for the consideration of the house: 1st. That the United States could not, without a sacrifice of their rights, honor, and independence, submit to the late edicts of Great Britain and France. 2d. That it was expedient to prohibit the admission of either the ships or merchandise of those belligerents into the ports of the United States. 3d. That the country ought to be immediately placed in a state of defence.

After a protracted debate, the first two resolutions were passed, by three fourths of the votes, and the last unanimously.

A similar debate on the same subject, in the senate, was introduced by a motion to repeal the embargo law. The motion was supported by its mover, Mr. Hillhouse, of Connecticut, and by Messrs. Pickering and Lloyd, of Massachusetts, and White, of Delaware. It was opposed by Messrs. Pope, of Kentucky, Smith, of Maryland, Crawford, of Georgia, and Moore and Giles, of Virginia. The question on the resolution was taken on the 2d of December, when it appeared that there were but six votes in its favor, to twenty-five against it.

In pursuance of the third resolution adopted by the house, the sum of four hundred and seventy-five thousand dollars was appropriated to fortifications, principally at New York; four frigates were ordered to be equipped in addition to the naval force already in service; three thousand six hundred seamen to be enlisted, in addition to those already in service, and an addition was made to the marine corps.

While the report which earnestly urged the impolicy of repealing the embargo act was adopted by so large a majority, the greater part even of the friends of the administration had no expectation that it would be continued many months longer. Some thought it ought to be repealed in the spring, but none were desirous of extending it further than the 1st of September. Looking forward to the change of policy, various expedients connected with the repeal were proposed, but neither of these propositions according with the views of a large majority, they were all postponed on the 10th of February, by 65 votes to 55.\*

In the meanwhile the embargo was pressing with increasing severity on every class of the community, whether producers or consumers, and this pressure drove the people of New England, where the embargo was most felt, to a point of disaffection which had never before been witnessed in the United States. Many, therefore, entertained strong hopes that some course would be taken during the present session, by which the industry and enterprise of the country might be again put into activity, its vessels be once more suffered to venture on the ocean, and perhaps be permitted to arm in their own defence, if not to make reprisals. Among the many objections to the embargo, there was one which operated strongly on its friends, and that was the frequency with which it was violated. There were also many cases in which the law was clandestinely evaded. The majority of Congress who were willing to try it longer, rather than resort to war, passed a law during this session, which armed the executive with new powers for enforcing it.

The administration and the majority who supported it were, before Congress rose, turned from the purpose of trying the embargo a few months longer from fear of the growing disaffection of the New England states

as to all nations except France and Great Britain, and interdicting with them all commercial intercourse whatever, whether by exporting or importing, either directly or circuitously. This measure has always since gone under the name of the *non-intercourse law*. It passed the house of representatives on the 27th of February, by 81 votes to 40, and became a law on the 1st of March, 1809. The repeal of the embargo took effect on the 15th of the same month.

It is not known whether the information thus communicated by Mr. Adams was entirely accurate, but that the growing discontents of the country made some change expedient, would seem to be very reasonable. In most of the state legislatures of New England there was a systematic purpose to defeat the measures of the general government, especially in

- \* The following statement was authorized by Mr. Adams, and published in the National Intelligencer of October 21, 1828, and republished in Niles's Register, vol. xxxv., p. 138:—
- "At the session of Congress which commenced in November, 1808, Mr. Adams was a private citizen, residing at Boston. The embargo was still in force, operating with extreme pressure upon the interests of the people, and was viewed as a most effective instrument by the party prevailing in the state against the administration of Mr. Jefferson. The people were constantly instigated to forcible resistance against it, and juries after juries acquitted the violators of it, upon the ground that it was unconstitutional, assumed in the face of a solemn decision of the district court of the United States. A separation of the Union was openly stimulated in the public prints, and a convention of delegates of the New England states, to meet at New Haven, was intended and proposed.
- "Mr. Giles, and several other members of Congress, during this session, wrote to Mr. Adams confidential letters, informing him of the various measures proposed as reinforcements or substitutes for the embargo, and soliciting his opinions upon the subject. He answered these letters with frankness, and in confidence. He earnestly recommended the substitution of the non-intercourse for the embargo; and, in giving his reasons for this preference, was necessarily led to enlarge upon the views and purposes of certain leaders of the party which had the management of the state legislature in their hands. He urged that a continuance of the embargo much longer would certainly be met by forcible resistance, supported by the legislature, and probably by the judiciary of the state. That to quell that resistance, if force should be resorted to by the government, it would produce a civil war; and that in that event, he had no doubt the leaders of the party would secure the co-operation with them of Great Britain. That their object was, and had been for several years, a dissolution of the Union, and the establishment of a separate confederation, he knew from unequivocal evidence, although not proveable in a court of law; and that, in the case of a civil war, the aid of Great Britain to effect that purpose would be as surely resorted to, as it would be indispensably necessary to the design. That these letters to Mr. Giles were by him communicated to Mr. Jefferson, Mr. Adams believes. He believes, likewise, that other letters from him to other members of Congress, written during the same session and upon the same subject, were also communicated to him. In one of the letters to Mr. Giles he repeated an assurance which he had verbally given him during the preceding session of Congress, that he had for his support of Mr. Jefferson's administration no personal or interested motive, and no favor to ask of him whatever."

On being called upon in November, 1828, by Hon. Harrison Gray Otis, William Prescott, William Sullivan, and other leading federalists of Massachusetts, to furnish his proofs relative to the charges made by him of a design by the leaders of the federal party in Massachusetts to effect a dissolution of the Union in 1808, Mr. Adams declined to do so at that time, but intimated that at some future day a sense of duty might require him to disclose the evidence which he possessed on the subject. The correspondence was published in Niles's Register, vol. xxxv. In their letter to Mr. Adams, Messrs. Otis and others declare, that "they have never known nor suspected the party which prevailed in Massachusetts in 1808, or any other party in this state, ever entertained the design to produce a dissolution of the Union, or the establishment of a separate confederation."

preventing the execution of the law last enacted for enforcing the embargo. In Connecticut a law was passed to prevent those searches in private houses, which the act of Congress authorized under particular circumstances.\*

The administration of Mr. Jefferson terminated on the 3d of March, 1809. He received addresses from the legislatures of the states of Vermont, New Jersey, Pennsylvania, Maryland, and Georgia, and from the senate of New York, and the house of delegates of Virginia, to serve a third term, but he chose to decline being again a candidate, offering as a reason a desire to conform to the precedent made by General Washington. In his correspondence with his friends at the time, he expressed his gratification at being enabled to retire to private life. After waiting to witness the inauguration of his successor, he left the seat of government for his favorite seat of Monticello.

At the period when Mr. Jefferson resigned the reins of government into the hands of his chosen friend, Mr. Madison, the country was involved in gloom and despondency. A report of a committee of the legislature of Massachusetts, in January, 1809, drew the following picture of the state of the country at that time:—

"Our agriculture is discouraged. The fisheries abandoned. Navigation forbidden. Our commerce at home restrained, if not annihilated. Our commerce abroad cut off. Our navy sold, dismantled, or degraded to the service of cutters or gunboats. The revenue extinguished. The course of justice interrupted. And the nation weakened by internal anigreat political maxims from which our civil institutions take their shape and derive their force; that government was instituted for the benefit of the governed, and, consequently, that its power is not a property in those who administer it, but a *trust* for the public good; that as power is grateful in itself, and its exercise always more or less conflicts with the interests or wishes of others, it should be as sparingly delegated and as forbearingly exerted as is consistent with the great purposes of peace and security.

In conformity with these maxims (the same writer remarks), Mr. Jefferson made no attempt, and exhibited no desire to enlarge the powers of the executive, and never exercised them for the benefit of himself or of his family.

The biographer of Mr. Jefferson has not thought proper to define, in the partialities of his friendship, the improvements, if any, which that president introduced, in administering the government, on the system and views of General Washington, nor has he stated in what respects the administration of Washington, and his constructions of the constitution of which he was one of the framers, was not a safe model for his successors. A recent impartial writer, in drawing a parallel between Washington and Jefferson, remarks as follows. It is from a sketch of the life of Thomas Jefferson, published in Philadelphia, by J. G. Russell, 1844:—

"The superiority of Washington's statesmanship seems to be shown in the peculiar adaptation of his policy to the special object of the federal constitution, which was the vigor and efficiency of the government, in contradistinction to the laxity of principle and looseness of the parts in the old confederacy. Let us suppose that Mr. Jefferson had been chosen to carry into practice the first experiment of the government, instead of Washington, and that he had applied his system of state-rights and popular interference to the new machine which the federal convention had just placed in the hands of the executive. Is it not self-evident that, for want of vigor and energy, the constitution would have crumbled to pieces in his hands, and left him in possession only of the fragments of the old confederacy? For that is certainly the true system of the government which fulfils its great ends; and that, of course, must be the spurious doctrine which baffles and defeats the object had in view by those who framed The difference in the crisis, and the remote stages of the two administrations can not affect this principle. A government of laws must have the principle of energy and coercion; and it was the concentration of this energy in a federal government which the convention gave, and which, to carry out into perfection, induced the Washington policy. It does appear, therefore, that Mr. Jefferson's was anomalous and not congenial to the constitution, but a policy formed in accordance with the constant and living current of popular opinion; a policy for the people, not for the constitution; a policy framed to gain popularity, not to cement, fulfil, or con-

summate the fabric and purposes of the government. It appears, therefore, to be rather the policy of the politician than the policy of the statesman, the legislator, the lawgiver, or the patriot, who looks beyond the bounds of present praise to the final consequences of civilization and liberty. Yet even this anomalous policy of Mr. Jefferson, so far from being incompatible with human happiness and permanent freedom, is admirably calculated to secure those objects, provided the people are sufficiently virtuous to be governed by opinion instead of law. It implies, in the people, the highest perfection of virtue and intelligence, and, leaving nothing to coercion, places the safety of society at the mercy of their discretion, wisdom, prudence, and virtue. It implies that power will be so honest as to commit no usurpation, and that the people will be so virtuous as to abstain from all violence, licentiousness, and disorder! but this is supposing the very effect that government is intended to secure. We have many declarations under Mr. Jefferson's pen, which show that he had not considered the scientific principles of his system so profoundly as he had studied its impression on the minds of the people; and seeing it well received by them, he determined to adhere to it. So that in effect there was this difference in Washington and Jefferson, as statesmen-that the former rescued the republic from the chaos of the old confederation to the coercive government of the federal constitution, and the latter reconducted us to the chaos of the confederacy through the currents of popular opinion, ideas of unbounded liberty, implicit confidence in the virtues of the people, and an unlimited faith in their intelligence, and capacity for self-government."

## BIOGRAPHICAL SKETCH

OF

# JAMES MADISON.

JAMES MADISON, the fourth president of the United States, was born in Orange county, Virginia, on the 16th of March, 1751. His father was James Madison, the family being of Welsh descent, and among the early emigrants to Virginia. The subject of the present sketch studied the English, Latin, Greek, French, and Italian languages, and was fitted for college under the tuition of Mr. Robertson, a native of Scotland, and the Rev. Mr. Martin, a Jerseyman. He graduated at Princeton, New Jersey, in 1771; and afterward remained a year at college, pursuing his studies under the superintendence of Doctor Witherspoon, president of the insti-His constitution was impaired by close application to his studies, and his health was, for many years, feeble. Returning to Virginia, he commenced the practice of the law, but the scenes of the revolution left but little opportunity for the quiet pursuits of private life, and his talents being soon appreciated by his neighbors, he was called into the public service at an early age. In 1776 he was elected a member of the general assembly of Virginia, and in 1778 he was appointed one of the executive councillors. In the winter of 1779-'80 he was chosen a delegate to the continental Congress, of which body he continued an active and prominent member till 1784. In January, 1786, the legislature of Virginia appointed Mr. Madison one of their delegates to a convention of commissioners, or delegates, from the several states, to meet at Annapolis, Maryland, the ensuing September, to devise a uniform system of commercial regulations which should be binding on the whole confederacy, when ratified by all the states. Only five states were represented in this convention, but the members present took a step which led to important results. They recommended a convention of delegates from all the states, to be held at Philadelphia, in May, 1787, to take into consideration the situation of the United States, to devise such further provisions as should appear to them

necessary to render the constitution of the federal government adequate to the exigencies of the Union. Of that convention, which framed the constitution of the United States, Mr. Madison was one of the most distinguished members. He took a leading part in the debates on the various plans of a constitution submitted to the convention, and to his efforts in maturing the constitution as finally adopted, the country is greatly indebted. He took notes of the proceedings and debates of the convention, which, since his death, have been published, forming a valuable text-book for American statesmen.

In the convention, Mr. Madison generally coincided with General Washington and other members in their views in favor of a strong national government. A paper in the handwriting of General Washington, and found among the documents left by him, contains a summary of Mr. Madison's opinions on the subject of a form of constitution to be proposed. It is the substance of a letter received by Washington from Mr. Madison, a short time previous to the assembling of the convention at Philadelphia, and has been published in the North American Review, volume xxxv., as follows:—

"Mr. Madison thinks an individual independence of the states utterly irreconcilable with their aggregate sovereignty, and that a consolidation of the whole into one simple republic would be as inexpedient as it is unattainable. He therefore proposes a middle ground, which may at once support a due supremacy of the national authority, and not exclude the local authorities whenever they can be subordinately useful.

habitants of other states may be parties. The admiralty jurisdictions to fall entirely within the purview of the national government.

- "The national supremacy in the executive departments is liable to some difficulty, unless the officers administering them could be made appointable by the supreme government. The militia ought entirely to be placed, in some form or other, under the authority which is intrusted with the general protection and defence.
- "A government composed of such extensive powers should be well organized and balanced.
- "The legislative department might be divided into two branches, one of them chosen every years, by the people at large, or by the legislatures; the other to consist of fewer members, to hold their places for a longer term, and to go out in such rotation as always to leave in office a large majority of old members.
- "Perhaps the negative on the laws might be most conveniently exercised by this branch.
- "As a further check, a council of revision, including the great ministerial officers, might be superadded.
- "A national executive must also be provided. He has scarcely ventured as yet to form his own opinion, either of the manner in which it ought to be constituted, or of the authorities with which it ought to be clothed.
- "An article should be inserted, expressly guarantying the tranquillity of the states against internal as well as external dangers.
- "In like manner, the right of coercion should be expressly declared. With the resources of commerce in hand, the national administration might always find means of exerting it either by sea or land; but the difficulty and awkwardness of operating by force on the collective will of a state, render it particularly desirable that the necessity of it might be precluded. Perhaps the negative on the laws might create such a mutual dependence between the general and particular authorities as to answer; or perhaps some defined objects of taxation might be submitted along with commerce, to the general authority.

"To give a new system its proper validity and energy, a ratification must be obtained from the people, and not merely from the ordinary authority of the legislature. This will be the more essential, as inroads on the existing constitutions of the states will be unavoidable."

The foregoing views of Mr. Madison, expressed by him before the constitution was formed, are highly interesting, as evincing a remarkable degree of foresight and political wisdom, and forming the basis of the principal features of the constitution as finally adopted by the convention.

The constitution having passed the ordeal of the national convention, in September, 1787, was next, by the recommendation of that body, submitted to conventions elected by the people of the several states, for their

consideration. Mr. Madison was elected a member of the convention of Virginia, chosen for that purpose, and here his best efforts were again called into requisition, to secure the sanction of his native state to a measure which he deemed of the most vital importance to the interests of the whole Union. In this state convention of Virginia were assembled some of the most able and talented of her sons, including many of the patriots of the revolution, and others renowned for wisdom and eloquence; but with widely discordant views on the subject of a form of national government. Among those who acted with Mr. Madison in advocating the adoption of the constitution, were John Marshall, Edmund Pendleton, George Wythe, and Edmund Randolph; while Patrick Henry, James Monroe, William Grayson, and George Mason, were among the opponents. The question was finally carried in favor of adoption by 89 votes to 79.

Notwithstanding the triumph of the federalists, as the friends of the constitution were then called, in the convention of Virginia, the anti-federalists held the majority in the legislature. An attempt to elect Mr. Madison to the senate of the United States was, therefore, unsuccessful, Messrs. Grayson and R. H. Lee being preferred. Mr. Madison was, however, elected by the people of one of the congressional districts, a member of the house of representatives, and took his seat in the new Congress, at New York, in April, 1789. In that body he bore an active and leading part in the adoption of measures for the organization of the government. He

In January, 1794, Mr. Madison introduced into the house of representatives a series of resolutions on the subject of the commerce of the United States with foreign nations. They were based on a previous report made to Congress by Mr. Jefferson, secretary of state, on the subject of foreign relations, and were probably prepared with the concurrence of Mr. Jefferson, as a manuscript copy was found among his papers. They were retaliatory in their character toward Great Britain, and considered favorable to the interests of France. They gave rise to a warm debate, parties being nearly balanced in the house, but the subject was finally postponed, without definite action.

Mr. Madison continued to act with the democratic, or republican party, for the remainder of his political career, co-operating with Mr. Jefferson in his views of national policy, and between these two gentlemen there existed through their lives the warmest personal friendship. In 1797, Mr. Madison retired from Congress, and in order to oppose the administration of Mr. Adams in a new form, he accepted a seat in the Virginia legislature, in 1798, where he made a report on the subject of the alien and sedition laws which had been passed by the federal party in Congress, concluding with a series of resolutions against those laws; which resolutions have since formed a text for the doctrine of state-rights, as held by the democratic party of Virginia and some other states.

On the accession of Mr. Jefferson to the presidency, in 1801, he appointed Mr. Madison secretary of state, which office he held during the eight years of Mr. Jefferson's administration; and in 1809, having received the nomination and support of the democratic party, he succeeded his friend and coadjutor, as president of the United States. During his administration, in 1812, war was declared by Congress against Great Britain, to which measure he reluctantly consented, and the same year he was re-elected to the presidency. In his selection of commissioners to negotiate a treaty of peace, Mr. Madison showed his anxiety for a termination of the war, by the appointment of able men, sincerely desirous of peace, which was concluded at Ghent, in December, 1814.

The anxious and exciting scenes of war were not congenial to a person of the peaceful disposition of Mr. Madison, yet the duties of his high office were performed with firmness and ability. Among the events of the war which were calculated to disturb his equanimity, was the capture of the city of Washington, and the destruction of the public buildings, by the British, in 1814. The president and some other principal officers of the government narrowly escaped from being made prisoners by the British troops; they, however, were saved by a rapid flight.

After the return of peace, the remainder of Mr. Madison's administration was prosperous and tranquil. The interests of agriculture and commerce revived among the people, and the national revenue was rapidly replenished from the fruits of returning prosperity. The manufacturing interests, however, languished for want of adequate protection. The president was favorable to their encouragement. He changed his views on the subject of a national bank, and signed the bill for incorporating the bank of the United States, in 1816. He had, in 1791, opposed the bank then incorporated, as unconstitutional, and in 1815 he had returned to Congress a bill incorporating a bank, as he disapproved of some of its provisions; but in the following year he waived his objections, and approved of an act of incorporation, somewhat modified.

On the 3d of March, 1817, Mr. Madison's administration was brought to a close, and he retired from public life, being then sixty-six years of age, to his seat at Montpelier, in Orange county, Virginia, where he passed the remainder of his days. In 1829 he was chosen a member of the state convention to revise the constitution of Virginia, and for several years he acted as visiter and rector of the University of Virginia. He was also chosen president of an agricultural society in the county where he resided, and before this society he delivered an address, admirable for its classical beauty and practical knowledge.

Having arrived at a good old age, and numbered eighty-five years, the mortal career of Mr. Madison was closed on the 28th of June, 1836. Congress and other public bodies adopted testimonials of respect for his memory. He left no children.

In his personal appearance, Mr. Madison was of small stature, and rather protuberant in front. He had a calm expression, penetrating blue eyes, and was slow and grave in his speech. At the close of his

#### MADISON'S

# ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

March 4, 1809.

Unwilling to depart from examples of the most revered authority, I avail myself of the occasion now presented, to express the profound impression made on me by the call of my country to the station, to the duties of which I am about to pledge myself by the most solemn of sanctions. So distinguished a mark of confidence, proceeding from the deliberate and tranquil suffrage of a free and virtuous nation, would under any circumstances have commanded my gratitude and devotion, as well as filled me with an awful sense of the trust to be assumed. Under the various circumstances which give peculiar solemnity to the existing period, I feel that both the honor and the responsibility allotted to me are inexpressibly enhanced.

The present situation of the world is indeed without a parallel, and that of our own country full of difficulties. The pressure of these too is the more severely felt, because they have fallen upon us at a moment when the national prosperity being at a height not before attained, the contrast resulting from the change has been rendered the more striking. Under the benign influence of our republican institutions, and the maintenance of peace with all nations, while so many of them were engaged in bloody and wasteful wars, the fruits of a just policy were enjoyed in an unrivalled growth of our faculties and resources. Proofs of this were seen in the improvements of agriculture; in the successful enterprises of commerce; in the progress of manufactures and useful arts; in the increase of the public revenue, and the use made of it in reducing the public debt; and in the valuable works and establishments everywhere multiplying over the face of our land.

It is a precious reflection that the transition from this prosperous condition of our country to the scene which has for some time been distressing us, is not chargeable on any unwarrantable views, nor as I trust on any involuntary errors in the public councils. Indulging no passions which trespass on the rights or repose of other nations, it has been the true glory of the United States to cultivate peace by observing justice, and to entitle themselves to the respect of the nations at war by fulfilling their neutral obligations with the most scrupulous impartiality. If there be candor in the world, the truth of these assertions will not be questioned, posterity at least will do justice to them.

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This unexceptionable course could not avail against the injustice and violence of the belligerent powers. In their rage agains' each other, or impelled by more direct motives, principles of retaliation have been introduced, equally contrary to universal reason and acknowledged law. How long their arbitrary edicts will be continued in spite of the demonstrations that not even a pretext for them has been given by the United States, and of the fair and liberal attempt to induce revocation of them can not be anticipated. Assuring myself that under every vicissitude the determined spirit and united councils of the nation will be safeguards to its honor and its essential interests, I repair to the post assigned me, with no other discouragement than what springs from my own inadequacy to its high duties. If I do not sink under the weight of this deep conviction, it is because I find some support in a consciousness of the purposes, and a confidence in the principles, which I bring with me into this arduous service.

To cherish peace and friendly intercourse with all nations having correspondent dispositions; to maintain sincere neutrality toward belligerent nations; to prefer in all cases amicable discussion and reasonable accommodation of differences to a decision of them by an appeal to arms; to exclude foreign intrigues and foreign partialities, so degrading to all countries and so baneful to free ones; to foster a spirit of independence too just to invade the rights of others, too proud to surrender our own, too liberal to indulge unworthy prejudices ourselves, and too elevated not to look down upon them in others; to hold the union of the states as the basis of their peace and happiness; to support the constitution, which is the cement of the union, as well in its limitations as in its authorities; to respect the rights and authorities reserved to the states and to the people, as equally incorporated with, and essential to the success of, the general system; to avoid the slightest interference with the rights of conscience

beloved country, gratefully bestowed for exalted talents, zealously devoted, through a long career, to the advancement of its highest interest and hap-

piness.

But the source to which I look for the aids which alone can supply my deficiencies, is in the well-tried intelligence and virtue of my fellow-citizens, and in the counsels of those representing them in the other departments associated in the care of the national interests. In these my confidence will under every difficulty be placed, next to that in which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future.

## SPECIAL SESSION.-MESSAGE.

MAY 23, 1809.

Fellow-Citizens of the Senate and House of Representatives:-

On this first occasion of meeting you, it affords me much satisfaction to be able to communicate the commencement of a favorable change in our foreign relations; the critical state of which induced a session of Con-

gress at this early period.

In consequence of the provisions of the act interdicting commercial intercourse with Great Britain and France, our ministers at London and Paris were without delay instructed to let it be understood by the French and British governments, that the authority vested in the executive to renew commercial intercourse with their respective nations would be exercised in the case specified by that act.

Soon after these instructions were despatched, it was found that the British government, anticipating from early proceedings of Congress at their last session, the state of our laws which has been the effect of placing the two belligerent powers on a footing of equal restrictions, and relying on the conciliatory disposition of the United States, had transmitted to their legation here, provisional instructions, not only to offer satisfaction for the attack on the frigate Chesapeake, and to make known the determination of his Britannic majesty to send an envoy extraordinary with powers to conclude a treaty on all the points between the two countries, but moreover to signify his willingness, in the meantime, to withdraw his orders in council, in the persuasion that the intercourse with Great Britain would be renewed on the part of the United States.

These steps of the British government led to the correspondence and the proclamation now laid before you, by virtue of which the commerce between the two countries will be renewable after the 10th day of June next.

While I take pleasure in doing justice to the councils of his Britannic majesty, which, no longer adhering to the policy which made an abandonment by France of her decree a pre-requisite to a revocation of the British orders, have substituted the amicable course which has issued thus happily, I can not do less than refer to the proposal heretofore made on

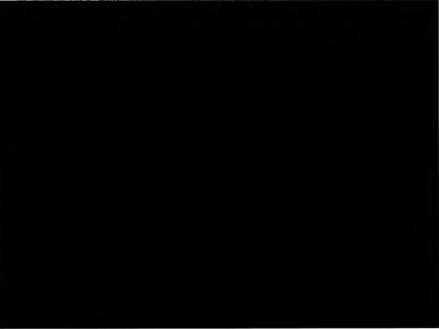
the part of the United States, embracing a like restoration of the suspended commerce, as a proof of the spirit of accommodation which has at no time been intermitted, and to the result which now calls for our congratulations, as corroborating the principles by which the public councils have been guided during a period of the most trying embarrassments.

The discontinuance of the British orders, as they respect the United States, having been thus arranged, a communication of the event has been forwarded in one of our public vessels to our minister plenipotentiary at Paris, with instructions to avail himself of the important addition thereby made to the considerations which press on the justice of the French government a revocation of its decrees, or such a modification of them as that they shall cease to violate the neutral commerce of the United States.

The revision of our commercial laws, proper to adapt them to the arrangement which has taken place with Great Britain, will doubtless engage the early attention of Congress. It will be worthy, at the same time, of their just and provident care, to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

Under the existing aspect of our affairs, I have thought it not inconsistent with a just precaution, to have the gun-boats, with the exception of those at New Orleans, placed in a situation incurring no expense beyond that requisite for their preservation and conveniency for future service, and to have the crews of those at New Orleans reduced to the number required for their navigation and safety.

I have thought, also, that our citizens, detached in quotas of militia amounting to one hundred thousand, under the act of March, one thousand eight hundred and eight, might not improperly be relieved from the state in which they were hold for immediate service. A discharge of them



been reimbursed on the last day of the year 1808. And on the first day of April last the sum in the treasury exceeded nine and a half millions of dollars. This, together with the receipts of the current year on account of former revenue bonds, will probably be nearly, if not altogether sufficient to defray the expenses of the year. But the suspension of exports, and the consequent decrease of importations during the last twelve months, will necessarily cause a great diminution in the receipts of the year one thousand eight hundred and ten. After that year, should our foreign relations be undisturbed, the revenue will again be more than commensurate to all the expenditures.

Aware of the inconveniences of a protracted session at the present season of the year, I forbear to call the attention of the legislature to any matters not particularly urgent. It remains, therefore, only to assure you of the fidelity and alacrity with which I shall co-operate for the welfare and happiness of our country; and to pray it may experience a continuance of the divine blessings by which it has been so signally favored.

## FIRST ANNUAL MESSAGE.

# November 29, 1809.

Fellow-Citizens of the Senate and House of Representatives:-

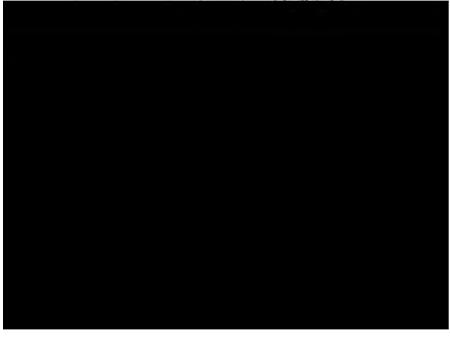
At the period of our last meeting I had the satisfaction of communicating an adjustment with one of the principal belligerent nations, highly important in itself, and still more so as presaging a more extended accommodation. It is with deep concern I am now to inform you that the favorable prospect has been overclouded by a refusal of the British government to abide by the act of its minister plenipotentiary, and by its ensuing policy toward the United States, as seen through the communications of the minister sent to replace him.

Whatever pleas may be urged for a disavowal of engagements formed by diplomatic functionaries in cases where by the terms of the engagements a mutual ratification is reserved, or where notice at the time may have been given of a departure from instructions, or in extraordinary cases essentially violating the principles of equity, a disavowal could not have been apprehended in a case where no such notice or violation existed, where no such ratification was reserved, and more especially where, as is now in proof, an engagement to be executed without any such ratification was contemplated by the instructions given, and where it had, with good faith, been carried into immediate execution on the part of the United States.

These considerations not having restrained the British government from disavowing the arrangement by virtue of which its orders in council were to be revoked, and the event authorizing the renewal of commercial intercourse having thus not taken place, it necessarily became a question of equal urgency and importance, whether the act prohibiting that intercourse was not to be considered as remaining in legal force. This question being, after due deliberation, determined in the affirmative, a proclamation to that effect was issued. It could not but happen, however, that a return to this state of things from that which had followed an execution of the arrangement by the United States would involve difficulties. With a view

to diminish these as much as possible, the instructions from the secretary of the treasury, now laid before you, were transmitted to the collectors of the several ports. If in permitting British vessels to depart without giving bonds not to proceed to their own ports it should appear that the tenor of legal authority has not been strictly pursued, it is to be ascribed to the anxious desire which was felt that no individuals should be injured by so unforeseen an occurrence; and I rely on the regard of Congress for the equitable interests of our own citizens to adopt whatever further provisions may be found requisite for a general remission of penalties involuntarily incurred.

The recall of the disavowed minister having been followed by the appointment of a successor, hopes were indulged that the new mission would contribute to alleviate the disappointment which had been produced, and to remove the causes which had so long embarrassed the good understanding of the two nations. It could not be doubted that it would at least be charged with conciliatory explanations of the steps which had been taken. and with proposals to be substituted for the rejected arrangement. Reasonable and universal as this expectation was, it also has not been fulfilled. From the first official disclosures of the new minister it was found that he had received no authority to enter into explanations relative to either branch of the arrangement disavowed, nor any authority to substitute proposals as to that branch which concerned the British orders in council; and finally, that his proposals with respect to the other branch, the attack on the frigate Chesapeake, were founded on a presumption repeatedly declared to be inadmissible by the United States, that the first step toward adjustment was due from them, the proposals at the same time omitted even a reference to the officer answerable for the murderous aggression. and asserting a claim not less contrary to the British laws and British



ble dispositions, injuries materially affecting our commerce have not been duly controlled or repressed. In these cases, the interpositions deemed proper on our part have not been omitted. But it well deserves the consideration of the legislature, how far both the safety and honor of the American flag may be consulted, by adequate provision against that collusive prostitution of it by individuals, unworthy of the American name, which has so much favored the real or pretended suspicions under which the honest commerce of their fellow-citizens has suffered.

In relation to the powers on the coast of Barbary, nothing has occurred which is not of a nature rather to inspire confidence than distrust, as to the continuance of the existing amity. With our Indian neighbors, the just and benevolent system continued toward them, has also preserved peace, and is more and more advancing habits favorable to their civilization and

happiness.

From a statement which will be made by the secretary of war, it will be seen that the fortifications on our maritime frontier are in many of the ports completed; affording the defence which was contemplated, and that a further time will be required to render complete the works in the harbor of New York, and in some other places. By the enlargement of the works and the employment of a greater number of hands at the public armories, the supply of small arms of an improving quality appears to be annually increasing at a rate that, with those made on private contract, may be expected to go far toward providing for the public exigency.

The act of Congress providing for the equipment of our vessels-of-war having been fully carried into execution, I refer to the statement of the secretary of the navy for the information which may be proper on that subject. To that statement is added a view of the transfers of appropriations authorized by the act of the session preceding the last, and of the grounds

on which the transfers were made.

Whatever may be the course of your deliberations on the subject of our military establishments, I should fail in my duty in not recommending to your serious attention the importance of giving to our militia, the great bulwark of our security and resource of our power, an organization the best adapted to eventual situations for which the United States ought to be

prepared.

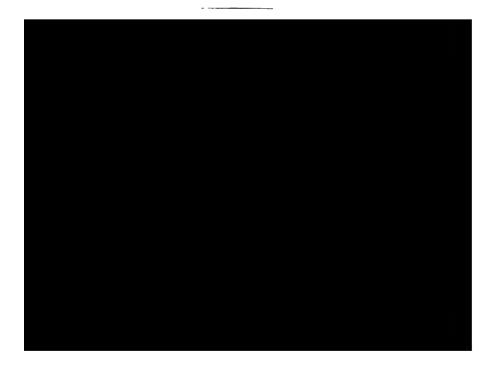
The sums which had been previously accumulated in the treasury, together with the receipts during the year ending on the 30th of September last (and amounting to more than nine millions of dollars), have enabled us to fulfil all our engagements and to defray the current expenses of government without recurring to any loan. But the insecurity of our commerce, and the consequent diminution of the public revenue will probably produce a deficiency in the receipts of the ensuing year, for which, and for other details, I refer to the statements which will be transmitted from the treasury.

In the state which has been presented of our affairs with the great parties to a disastrous and protracted war, carried on in a mode equally injurious and unjust to the United States as a neutral nation, the wisdom of the national legislature will be again summoned to the important decision on the alternatives before them. That these will be met in a spirit worthy the councils of a nation conscious both of its rectitude and of its rights, and careful as well of its honor as of its peace, I have an entire confidence. And that the result will be stamped by a unanimity becoming the occasion, and be supported by every portion of our citizens with a patri-

otism enlightened and invigorated by experience, ought as little to be doubted.

In the midst of the wrongs and vexations experienced from external causes, there is much room for congratulation on the prosperity and happiness flowing from our situation at home. The blessing of health has never been more universal. The fruits of the season, though in particular articles and districts short of their usual redundancy, are more than sufficient for our wants and our comforts. The face of our country everywhere presents the evidence of laudable enterprise, of extensive capital, and of durable improvement. In a cultivation of the materials and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies. Nor is it unworthy of reflection that this revolution in our pursuits and habits is in no slight degree a consequence of those impolitic and arbitrary edicts by which the contending nations, in endeavoring each of them to obstruct our trade with the other, have so far abridged our means of procuring the productions and manufactures of which our own are now taking the place.

Recollecting always, that for every advantage which may contribute to distinguish our lot from that to which others are doomed by the unhappy spirit of the times, we are indebted to that Divine Providence whose goodness has been so remarkably extended to this rising nation, it becomes us to cherish a devout gratitude, and to implore from the same Omnipotent source, a blessing on the consultations and measures about to be undertaken for the welfare of our beloved country.



be expedient for putting into actual service, if necessary, any part of the naval armament not now employed.

At a period presenting features in the conduct of foreign powers toward the United States, which may impose upon them the necessity of precautionary measures involving expense, it is a happy consideration that such is the solid state of the public credit, that reliance may be justly placed on any legal provision that may be made for resorting to it, in a convenient form, and to an adequate amount.

# SECOND ANNUAL MESSAGE.

DECEMBER 5, 1810.

Fellow-Citizens of the Senate and House of Representatives :-

The embarrassments which have prevailed in our foreign relations, and so much employed the deliberations of Congress, make it a primary duty in meeting you, to communicate whatever may have occurred in that branch of our national affairs.

The act of the last session of Congress, concerning the commercial intercourse between the United States and Great Britain and France, and their dependencies, having invited in a new form a termination of their edicts against our neutral commerce, copies of the act were immediately forwarded to our ministers at London and Paris, with a view that its object might be within the early attention of the French and British governments.

By the communication received through our minister at Paris, it appeared that a knowledge of the act by the French government was followed by a declaration that the Berlin and Milan decrees were revoked, and would cease to have effect on the first day of November ensuing. These being the only known edicts of France within the description of the act, and the revocation of them being such that they ceased at that date to violate our neutral commerce, the fact, as prescribed by law, was announced by a proclamation bearing date the second day of November.

It would have well accorded with the conciliatory views indicated by this proceeding on the part of France, to have extended them to all the grounds of just complaint which now remain unadjusted with the United States. It was particularly anticipated that as a further evidence of just dispositions toward them, restoration would have been immediately made of the property of our citizens seized under misapplication of the principle of reprisals combined with a misconstruction of the law of the United States. This expectation has not been fulfilled.

From the British government no communication on the subject of the act has been received. To a communication from our minister at London of a revocation by the French government of its Berlin and Milan decrees it was answered, that the British system would be relinquished as soon as the repeal of the French decrees should have actually taken effect, and the commerce of neutral nations have been restored to the condition in which it stood previously to the promulgation of those decrees. This pledge, although it does not necessarily import, does not exclude the intention of relinquishing, along with the orders in council, the practice of

those novel blockades which have a like effect of interrupting our neutral commerce; and this further justice to the United States is the rather to be looked for, inasmuch as the blockades in question, being not more contrary to the established law of nations than inconsistent with the rules of blockade formally recognised by Great Britain herself, could have no alleged basis other than the plea of retaliation alleged as the basis of the orders in council. Under the modification of the original orders of November, 1807, into the orders of April, 1809, there is indeed scarcely a nominal distinction between the orders and the blockades. One of those illegitimate blockades, bearing date in May, 1806, having been expressly avowed to be still unrescinded, and to be in effect comprehended in the orders in council, was too distinctly brought within the purview of the act of Congress not to be comprehended in the explanation of the requisites to a compliance with it. The British government was accordingly apprized by our minister near it, that such was the light in which the subject was to be regarded.

On the other important subjects depending between the United States and that government, no progress has been made from which an early and

satisfactory result can be relied on.

In this new posture of our relations with those powers, the consideration of Congress will be properly turned to a removal of doubts which may occur in the exposition, and of difficulties in the execution, of the act above cited.

The commerce of the United States with the north of Europe, heretofore much vexed by licentious cruisers, particularly under the Danish flag, has latterly been visited with fresh and extensive depredations. The measures pursued in behalf of our injured citizens not having obtained justice for them, a further and more formal interposition with the Danish govStates are found to be so eligible, that the general disposition to preserve both continues to gain strength.

I feel particular satisfaction in remarking that an interior view of our country presents us with grateful proofs of its substantial and increasing prosperity. To a thriving agriculture, and the improvements relating to it, is added a highly interesting extension of useful manufactures, the combined product of professional occupations and of household industry. Such, indeed, is the experience of economy, as well as of policy, in these substitutes for supplies heretofore obtained by foreign commerce, that in a national view the change is justly regarded as of itself more than a recompense for those privations and losses resulting from foreign injustice which furnished the general impulse required for its accomplishment. How far it may be expedient to guard the infancy of this improvement in the distribution of labor by regulations of the commercial tariff, is a subject which can not fail to suggest itself to your patriotic reflections.

It will rest with the consideration of Congress, also, whether a provident as well as fair encouragement would not be given to our navigation by such regulations as would place it on a level of competition with foreign vessels, particularly in transporting the important and bulky productions of our own soil. The failure of equality and reciprocity in the existing regulations on this subject operates in our ports as a premium to foreign competitors; and the inconvenience must increase as these may be multiplied, under more favorable circumstances, by the more than countervailing encouragements now given them by the laws of their respective countries.

While it is universally admitted that a well-instructed people alone can be permanently a free people, and while it is evident that the means of diffusing and improving useful knowledge form so small a proportion of the expenditures for national purposes, I can not presume it to be unseasonable to invite your attention to the advantages of superadding to the means of education provided by the several states a seminary of learning instituted by the national legislature, within the limits of their exclusive jurisdiction, the expense of which might be defrayed or reimbursed out of the vacant grounds which have accrued to the nation within those limits.

Such an institution, though local in its legal character, would be universal in its beneficial effects. By enlightening the opinions, by expanding the patriotism, and by assimilating the principles, the sentiments, and the manners of those who might resort to this temple of science, to be redistributed in due time through every part of the community, sources of jealousy and prejudice would be diminished, the features of national character would be multiplied, and greater extent given to social harmony. But above all, a well-constituted seminary, in the centre of the nation, is recommended by the consideration that the additional instruction emanating from it would contribute not less to strengthen the foundations than to adorn the structure of our free and happy system of government.

Among the commercial abuses still committed under the American flag, and leaving in force my former reference to that subject, it appears that American citizens are instrumental in carrying on a traffic in enslaved Africans, equally in violation of the laws of humanity and in defiance of those of their own country. The same just and benevolent motives which produced the interdiction in force against this criminal conduct will doubtless be felt by Congress in devising further means of suppressing the evil.

In the midst of uncertainties necessarily connected with the great in-

terests of the United States, prudence requires a continuance of our defensive and precautionary arrangements. The secretary of war and the secretary of the navy will submit the statements and estimates which may aid Congress in their ensuing provisions for the land and naval forces. The statements of the latter will include a view of the transfers of appropriations in the naval expenditures, and the grounds on which they were made.

The fortifications for the defence of our maritime frontier have been prosecuted according to the plan laid down in 1808. The works, with some exceptions, are completed and furnished with ordnance. Those for the security of the city of New York, though far advanced toward completion, will require a further time and appropriation. This is the case with a few others, either not completed or in need of repairs.

The improvements in quality and quantity, made in the manufacture of cannon and small arms, both at the public armories and private factories, warrant additional confidence in the competency of these resources for

supplying the public exigencies.

These preparations for arming the militia having thus far provided for one of the objects contemplated by the power vested in Congress with respect to that great bulwark of the public safety, it is for their consideration whether further provisions are not requisite for the other contemplated objects of organization and discipline. To give to this great mass of physical and moral force the efficiency which it merits, and is capable of receiving, it is indispensable that they should be instructed and practised in the rules by which they are to be governed. Toward an accomplishment of this important work, I recommend for the consideration of Congress the expediency of instituting a system which shall in the first instance call into the field, at the public expense and for a given time, certain portions of the commissioned and non-commissioned officers. The

against external danger with a scrupulous regard to internal safety. In no other way, probably, can a provision of equal efficacy for the public defence be made at so little expense, or more consistently with the public liberty.

The receipts into the treasury during the year ending on the 30th of September last (and amounting to more than eight millions and a half of dollars), have exceeded the current expenses of government, including the interest on the public debt. For the purpose of reimbursing, at the end of the year, three millions seven hundred and fifty thousand dollars of the principal, a loan, as authorized by law, had been negotiated to that amount, but has since been reduced to two millions seven hundred and fifty thousand dollars; the reduction being permitted by the state of the treasury, in which there will be a balance remaining at the end of the year, estimated at two millions of dollars. For the probable receipts of the next year, and other details, I refer to statements which will be transmitted from the treasury, and which will enable you to judge what further provisions may be necessary for the ensuing years.

Reserving for future occasions in the course of the session whatever other communications may claim your attention, I close the present by expressing my reliance, under the blessing of Divine Providence, on the judgment and patriotism which will guide your measures, at a period particularly calling for united councils and inflexible exertions for the welfare of our country, and by assuring you of the fidelity and alacrity with which

my co-operation will be afforded.

#### SPECIAL MESSAGE.

## FEBRUARY 21, 1811.

To the House of Representatives of the United States:-

HAVING examined and considered the bill, entitled, "An act incorporating the Protestant Episcopal Church, in the town of Alexandria, in the District of Columbia," I now return the bill to the house of representatives, in which it originated, with the following objections:—

Because the bill exceeds the rightful authority to which governments are limited, by the essential distinction between civil and religious functions, and violates, in particular, the article of the constitution of the United States, which declares, that "Congress shall make no law respecting a religious establishment." The bill enacts into, and establishes by law, sundry rules and proceedings relative purely to the organization and polity of the church incorporated, and comprehending even the election and removal of the minister of the same; so that no change could be made therein by the particular society, or by the general church of which it is a member, and whose authority it recognises. This particular church, therefore, would so far be a religious establishment by law; a legal force and sanction being given to certain articles in her constitution and administration. Nor can it be considered, that the articles thus established are to be taken as the descriptive criteria only of the corporate identity of the society, inasmuch as this identity must depend upon other characteristics; as the regulations established are generally unessential, and alterable according to the principles and canons, by which churches of that denomination govern themselves; and as the injunctions and prohibitions contained in the regulations, would be enforced by the general consequences applicable to a violation of them according to the local law.

Because the bill vests in the said incorporated church, an authority to provide for the support of the poor, and the education of the poor children of the same; an authority which being altogether superfluous, if the provision is to be the result of pious charity, would be a precedent for giving to religious societies as such, a legal agency in carrying into effect a public and civil duty.

# SPECIAL MESSAGE.

FEBRUARY 28, 1811.

To the House of Representatives of the United States :-

Having examined and considered the bill, entitled, "An act for the relief of Richard Tervin, William Coleman, Edwin Lewis, Samuel Mims, Joseph Wilson, and the Baptist church at Salem meeting-house, in the Mississippi territory," I now return the same to the house of representatives, in which it originated, with the following objection:—

Because the bill, in reserving a certain parcel of land of the United States for the use of the said Baptist church, comprises a principle and precedent for the appropriation of funds of the United States, for the use and support of religious societies; contrary to the article of the constitution which declares that "Congress shall make no law respecting a religious establishment."

edicts of France, as officially made known to the British government, was denied to have taken place, it was an indispensable condition of the repeal of the British orders that commerce should be restored to a footing that would admit the productions and manufactures of Great Britain, when owned by neutrals, into markets shut against them by her enemy; the United States being given to understand that, in the meantime, a continuance of their non-importation act would lead to measures of retaliation.

At a later date, it has indeed appeared that a communication to the British government of fresh evidence of the repeal of the French decrees against our neutral trade was followed by an intimation that it had been transmitted to the British plenipotentiary here in order that it might receive full consideration in the depending discussions. This communication appears not to have been received; but the transmission of it hither, instead of founding on it an actual repeal of the orders, or assurances that the repeal would ensue, will not permit us to rely on any effective change in the British cabinet. To be ready to meet with cordiality satisfactory proofs of such a change, and to proceed in the meantime in adapting our measures to the views which have been disclosed through that minister, will best consult our whole duty.

In the unfriendly spirit of those disclosures, indemnity and redress for other wrongs have continued to be withheld, and our coasts and the mouths of our harbors have again witnessed scenes not less derogatory to the dearest of our national rights than vexatious to the regular course of our trade.

Among the occurrences produced by the conduct of British ships-of-war hovering on our coasts, was an encounter between one of them and the Amercan frigate commanded by Captain Rodgers, rendered unavoidable on the part of the latter by a fire commenced without cause by the former, whose commander is therefore alone chargeable with the blood unfortunately shed in maintaining the honor of the American flag. The proceedings of a court of inquiry requested by Captain Rodgers are communicated, together with the correspondence relating to the occurrence between the secretary of state and his Britannic majesty's envoy. To these are added the several correspondences which have passed on the subject of the British orders in council, and to both, the correspondence relating to the Floridas, in which Congress will be made acquainted with the interposition which the government of Great Britain has thought proper to make against the proceedings of the United States.

The justness and fairness which have been evinced on the part of the United States toward France, both before and since the revocation of her decrees, authorized an expectation that her government would have followed up that measure by all such others as were due to our reasonable claims, as well as dictated by its amicable professions. No proof, however, is yet given of an intention to repair the other wrongs done to the United States, and particularly to restore the great amount of American property seized and condemned under edicts which, though not affecting our neutral relations, and therefore not entering into questions between the United States and other belligerents, were nevertheless founded in such unjust principles that the reparation ought to have been prompt and ample.

In addition to this and other demands of strict right on that nation, the United States have much reason to be dissatisfied with the rigorous and unexpected restrictions to which their trade with the French dominions

has been subjected, and which, if not discontinued, will require at east corresponding restrictions on importations from France into the United States.

On all those subjects our minister plenipotentiary, lately sent to Paris, has carried with him the necessary instructions, the result of which will be communicated to you, and, by ascertaining the ulterior policy of the French government toward the United States, will enable you to adapt to

it that of the United States toward France.

Our other foreign relations remain without unfavorable changes. With Russia they are on the best footing of friendship. The ports of Sweden have afforded proofs of friendly dispositions toward our commerce in the councils of that nation also. And the information from our special minister to Denmark shows that the mission had been attended with valuable effects to our citizens, whose property had been so extensively violated

and endangered by cruisers under the Danish flag.

Under the ominous indications which commanded attention, it became a duty to exert the means committed to the executive department in providing for the general security. The works of defence on our maritime frontier have accordingly been prosecuted with an activity leaving little to be added for the completion of the most important ones; and as particularly suited for co-operation in emergencies, a portion of the gun-boats have in particular harbors been ordered into use. The ships-of-war before in commission, with the addition of a frigate, have been chiefly employed as a cruising guard to the rights of our coast; and such a disposition has been made of our land forces as was thought to promise the services most appropriate and important. In this disposition is included a force consisting of regulars and militia, embodied in the Indiana territory and marched toward our northwestern frontier. This measure was made requisite by several murders and depredations committed by Indians, but

of the militia; and for such a preparation of the great body as will proportion its usefulness to its intrinsic capacities. Nor can the occasion fail to remind you of the importance of those military seminaries which in every event will form a valuable and frugal part of our military establishment.

The manufacture of cannon and small arms has proceeded with due success, and the stock and resources of all the necessary munitions are adequate to emergencies. It will not be inexpedient, however, for Congress to authorize an enlargement of them.

Your attention will of course be drawn to such provisions on the subject of our naval force as may be required for the services to which it may be best adapted. I submit to Congress the seasonableness, also, of an authority to augment the stock of such materials as are imperishable in their nature, or may not at once be attainable.

In contemplating the scenes which distinguish this momentous epoch, and estimating their claims to our attention, it is impossible to overlook those developing themselves among the great communities which occupy the southern portion of our own hemisphere and extend into our neighborhood. An enlarged philanthropy and an enlighted forecast concur in imposing on the national councils an obligation to take a deep interest in their destinies; to cherish reciprocal sentiments of good will; to regard the progress of events, and not to be unprepared for whatever order of things may be ultimately established.

Under another aspect of our situation, the early attention of Congress will be due to the expediency of further guards against evasions and infractions of our commercial laws. The practice of smuggling, which is odious everywhere, and particularly criminal in free governments, where, the laws being made by all for the good of all, a fraud is committed on every individual as well as on the state, attains its utmost guilt when it blends with a pursuit of ignominious gain a treacherous subserviency, in the transgressors, to a foreign policy adverse to that of their own country. It is then that the virtuous indignation of the public should be enabled to manifest itself through the regular animadversions of the most competent laws.

To secure greater respect to our mercantile flag, and to the honest interest which it covers, it is expedient also that it be made punishable in our citizens to accept licenses from foreign governments for a trade unlawfully interdicted by them to other American citizens, or to trade under false colors or papers of any sort.

A prohibition is equally called for against the acceptance by our citizens of special licenses to be used in a trade with the United States; and against the admission into particular ports of the United States of vessels from foreign countries authorized to trade with particular ports only.

Although other subjects will press more immediately on your deliberations, a portion of them can not but be well bestowed on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, in some degree, under the impulse of causes not permanent; and to our navigation the fair extent of which is at present abridged by the unequal regulations of foreign governments.

Besides the reasonableness of saving our manufactures from sacrifices which a change of circumstances might bring on them, the national interest requires that, with respect to such articles at least as belong to our defence and our primary wants, we should not be left in unnecessary dependence on external supplies. And while foreign governments adhere

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to the existing discrimination in their ports against our navigation, and an equality or lesser discrimination is enjoyed by their navigation in our ports, the effect can not be mistaken, because it has been seriously felt by our shipping interests; and in proportion as this takes place, the advantages of an independent conveyance of our products to foreign markets, and of a growing body of mariners trained by their occupations for the service of their country in times of danger, must be diminished.

The receipts into the treasury during the year ending on the 30th of September last have exceeded thirteen millions and a half of dollars, and have enabled us to defray the current expenses, including the interest on the public debt, and to reimburse more than five millions of dollars of the principal, without recurring to the loan authorized by the act of the last session. The temporary loan obtained in the latter end of the year one thousand eight hundred and ten has also been reimbursed, and is not in-

cluded in that amount.

The decrease of revenue arising from the situation of our commerce and the extraordinary expenses which have and may become necessary, must be taken into view, in making commensurate provisions for the ensuing year. And I recommend to your consideration the propriety of insuring a sufficiency of annual revenue, at least to defray the ordinary expenses of government, and to pay the interest on the public debt, including that on new loans which may be authorized.

I can not close this communication without expressing my deep sense of the crisis in which you are assembled, my confidence in a wise and honorable result to your deliberations, and assurances of the faithful zeal with which my co-operating duties will be discharged; invoking at the same time the blessing of Heaven on our beloved country, and on all the means that may be employed in vindicating its rights and advancing its The families of those brave and patriotic citizens, who have fallen in his severe conflict, will doubtless engage the favorable attention of Congress.

#### SPECIAL MESSAGE.

DECEMBER 23, 1811.

To the Senate and House of Representatives of the United States:-

I COMMUNICATE to Congress copies of an act of the legislature of New York relating to a canal from the great lakes to Hudson river. In making the communication, I consult the respect due to that state, in whose behalf the commissioners appointed by the act have placed it in my hands for the purpose.

The utility of canal navigation is universally admitted. It is no less certain that scarcely any country offers more extensive opportunities for that branch of improvements than the United States, and none, perhaps, inducements equally persuasive to make the most of them. The particular undertaking contemplated by the state of New York, which marks an honorable spirit of enterprise and comprises objects of national as well as more limited importance, will recall the attention of Congress to the signal advantages to be derived to the United States from a general system of internal communication and conveyance, and suggest to their consideration whatever steps may be proper on their part toward its introduction and accomplishment. As some of those advantages have an intimate connexion with the arrangements and exertions for the general security, it is at a period calling for these that the merits of such a system will be seen in the strongest lights.

### SPECIAL MESSAGE.

MARCH 9, 1812.

To the Senate and House of Representatives of the United States:-

I LAY before Congress copies of certain documents which remain in the department of state. They prove that at a recent period, while the United States, notwithstanding the wrongs sustained by them, ceased not to observe the laws of peace and neutrality toward Great Britain, and in the midst of amicable professions and negotiations on the part of the British government, through its public minister here, a secret agent of that government was employed in certain states, more especially at the seat of government in Massachusetts, in fomenting disaffection to the constituted authorities of the nation, and in intrigues with the disaffected, for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force, of destroying the Union and forming the eastern part thereof into a political connexion with Great Britain.

In addition to the effect which the discovery of such a procedure ought to have on the public councils, it will not fail to render more dear to the hearts of all good citizens that happy union of these states, which, under Divine Providence, is the guarantee of their liberties, their safety, their tranquillity, and their prosperity.

# CONFIDENTIAL MESSAGE.

APRIL 1, 1812.

To the Senate and House of Representatives of the United States :-

Considering it as expedient, under existing circumstances and prospects, that a general embargo be laid on all vessels now in port, or hereafter arriving, for the period of sixty days, I recommend an immediate passage of a law to that effect.

# SPECIAL MESSAGE.

APRIL 3, 1813.

To the House of Representatives of the United States :-

HAVING examined and considered the bill, entitled, "An act providing for the trial of causes pending in the respective district courts of the United States, in cases of the absence or disability of the judges thereof," which bill was presented to me on the twenty-fifth of March past, I now return the same to the house of representatives, in which it originated.

Because, by referring to the president of the United States questions of disability in the district judges, and of the unreasonableness of delaying the suits or cases pending in the district courts, and leaving it with him in such cases to require the justices of the supreme court to perform additional services, the bill introduces an unsuitable relation of members of the judiciary department to a discretionary authority of the executive department.

## SPECIAL MESSAGE.

APRIL 20, 1812.

To the Senate and House of Representatives of the United States :-

Among the incidents of the unexampled increase and expanding interests of the American nation, under the fostering influence of free institutions and just laws, has been a corresponding accumulation of duties of the several departments of the government; and this has been necessarily the greater in consequence of the peculiar state of our foreign relations, and the connexion of these with our internal administration.

The extensive and multiplied preparations, into which the United States are at length driven for maintaining their violated rights, have caused this augmentation of business to press on the department of war, particularly, with a weight disproportionate to the powers of any single officer, with no other aids than are authorized by existing laws. With a view to a more adequate arrangement for the essential objects of that department, I recommend to an early consideration of Congress a provision for two subordinate appointments therein; with such compensations annexed as may be reasonably expected by citizens duly qualified for the important functions which may be properly assigned to them.

#### CONFIDENTIAL MESSAGE.

JUNE 1, 1812.

To the Senate and House of Representatives of the United States:-

I COMMUNICATE to Congress certain documents, being a continuation of those heretofore laid before them on the subject of our affairs with Great Britain.

Without going back beyond the renewal, in 1803, of the war in which Great Britain is engaged, and omitting unrepaired wrongs of inferior magnitude, the conduct of our government presents a series of acts hostile to the United States as an independent and neutral nation.

British cruisers have been in the continued practice of violating the American flag on the great highway of nations, and seizing and carrying off persons sailing under it; not in the exercise of a belligerent right founded on the law of nations against an enemy, but of a municipal prerogative over British subjects. British jurisdiction is thus extended to neutral vessels in a situation where no laws can operate but the law of na-

tions and the laws of the country to which the vessels belong, and a selfredress is assumed, which, if British subjects were wrongfully detained and alone concerned, is that substitution of force for a resort to the responsible sovereign which falls within the definition of war. Could the seizure of British subjects in such cases be regarded as within the exercise of a belligerent right, the acknowledged laws of war, which forbids an article of captured property to be adjudged without a regular investigation before a competent tribunal, would imperiously demand the fairest trial where the sacred rights of persons were at issue. In place of such a trial, these rights are subjected to the will of every petty commander.

The practice, hence, is so far from affecting British subjects alone, that under the pretext of searching for these, thousands of American citizens, under the safeguard of national law and of their national flag, have been torn from their country and everything dear to them; have been dragged on board of ships-of-war of a foreign nation and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes, to risk their lives in the battles of their oppressors, and to be the melan-

choly instruments of taking away those of their own brethren.

Against this crying enormity which Great Britain would be so prompt to avenge if committed against herself, the United States have in vain exhausted remonstrances and expostulations, and that no proof might be wanting of their conciliatory disposition, and no pretext left for a continuance of the practice, the British government was formally assured of the readiness of the United States to enter into arrangements such as could not be rejected if the recovery of British subjects were the real and the sole object. The communication passed without effect.

British cruisers have been in the practice also of violating the rights and peace of our coasts. They hover over and harass our entering and

moulded and managed as might best suit its political views, its commercial jealousies, or the avidity of British cruisers.

To our remonstrances against the complicated and transcendent injustice of this innovation, the first reply was, that the orders were reluctantly adopted by Great Britain as a necessary retaliation on decrees of her enemy proclaiming a general blockade of the British isles, at a time when the navel force of that enemy dared not to issue from his own ports. She was reminded without effect, that her own prior blockades, unsupported by an adequate naval force actually applied and continued, were a bar to this plea; that executed edicts against millions of our property could not be retaliation on edicts confessedly impossible to be executed; that retaliation, to be just should fall on the party setting the guilty example, not on an innocent party which was not even chargeable with an acquiescence in it.

When deprived of this flimsy veil for a prohibition of our trade with her enemy, by the repeal of his prohibition of our trade with Great Britain, her cabinet, instead of a corresponding repeal, or a practical discontinuance of its orders, formally avowed a determination to persist in them against the United States, until the markets of her enemy should be laid open to British products, thus asserting an obligation on a neutral power to require one belligerent to encourage by its internal regulations the trade of another belligerent, contradicting her own practice toward all nations, in peace as well as in war, and betraying the insincerity of those professions which inculcated a belief that, having resorted to her orders with regret, she was anxious to find an occasion for putting an end to them.

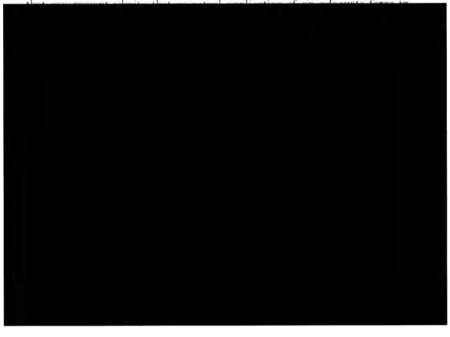
Abandoning still more all respect for the neutral rights of the United States, and for its own consistency, the British government now demands, as pre-requisites to a repeal of its orders as they relate to the United States, that a formality should be observed in the repeal of the French decrees, nowise necessary to their termination, nor exemplified by British usage; and that the French repeal, besides including that portion of the decrees which operate within a territorial jurisdiction as well as that which operates on the high seas against the commerce of the United States, should not be a single and special repeal in relation to the United States, but should be extended to whatever other neutral nations, unconnected with them, may be affected by those decrees. And as an additional insult they are called on for a formal disavowal of conditions and pretensions advanced by the French government, for which the United States are so far from having made themselves responsible, that, in official explanations which have been published to the world, and in a correspondence of the American minister at London with the British minister of foreign affairs, such a responsibility was explicitly and emphatically dis-

It has become, indeed, sufficiently certain, that the commerce of the United States is to be sacrificed, not as interfering with the belligerent rights of Great Britain; not as supplying the wants of her enemies, which she herself supplies; but as interfering with the monopoly which she covets for her own commerce and navigation. She carries on a war against the lawful commerce of a friend that she may the better carry on a commerce with an enemy—a commerce polluted by the forgeries and perjuries which are for the most part the only passports by which it can succeed.

Anxious to make every experiment short of the last resort of injured

nations, the United States have withheld from Great Britain, under successive modifications, the benefits of a free intercourse with her market. the loss of which could not but outweigh the profits accruing from her restrictions of our commerce with other nations. And to entitle these experiments to the more favorable consideration, they were so framed as to enable her to place her adversary under the exclusive operation of them. To these appeals her government has been equally inflexible, as if willing to make sacrifices of every sort rather than to yield to the claims of justice or renounce the errors of a false pride. Nay, so far were the attempts carried to overcome the attachment of the British cabinet to its unjust edicts, that it received every encouragement within the competency of the executive branch of our government to expect that a repeal of them would be followed by a war between the United States and France, unless the French edicts should also be repealed. Even this communication, although silencing for ever the plea of a disposition in the United States to acquiesce in those edicts, originally the sole plea for them, received no attention.

If no other proof existed of a pre-determination of the British government against a repeal of its orders, it might be found in the correspondence of the minister plenipotentiary of the United States, at London, and the British secretary of foreign affairs in 1810, on the question whether the blockade of May, 1806, was considered as in force or as not in force. It had been ascertained that the French government, which urged this blockade as the ground of its Berlin decree, was willing in the event of its removal to repeal that decree; which being followed by alternate repeals of the other offensive edicts, might abolish the whole system on both sides. This inviting opportunity for accomplishing an object so important to the United States, and professed, so often, to be the desire of both the belligerents, was made known to the British government. As



The prospect, however, quickly vanished. The whole proceeding was disavowed by the British government, without any explanations which could at that time repress the belief that the disavowal proceeded from a spirit of hostility to the commercial rights and prosperity of the United States. And it has since come into proof that at the very moment when the public minister was holding the language of friendship, and inspiring confidence in the sincerity of the negotiation with which he was charged, a secret agent of his government was employed in intrigues, having for their object a subversion of our government and a dismemberment of our happy union.

In reviewing the conduct of Great Britain toward the United States, our attention is necessarily drawn to the warfare just renewed by the savages on one of our extensive frontiers—a warfare which is known to spare neither age nor sex, and to be distinguished by features peculiarly shocking to humanity. It is difficult to account for the activity and combinations which have been for some time developing themselves among tribes in constant intercourse with British traders and garrisons, without connecting their hostility with that influence, and without recollecting the authenticated examples of such interpositions heretofore furnished by the

officers and agents of that government.

Such is the spectacle of injuries and indignities which have been heaped on our country; and such the crisis which its unexampled forbearance and conciliatory efforts have not been able to avert. It might at least have been expected that an enlightened nation, if less urged by moral obligations or invited by friendly disposition on the part of the United States, would have found, in its true interest alone, a sufficient motive to respect their rights and their tranquillity on the high seas; that an enlarged policy would have favored that free and general circulation of commerce in which the British nation is at all times interested, and which in times of war is the best alleviation of its calamities to herself, as well as to other belligerents; and more especially that the British cabinet would not, for the sake of a precarious and surreptitious intercourse with hostile markets, have persevered in a course of measures which necessarily put at hazard the invaluable market of a great and growing country, disposed to cultivate the mutual advantages of an active commerce.

Other counsels have prevailed. Our moderation and conciliation have had no other effect than to encourage perseverance and to enlarge pretensions. We behold our seafaring citizens still the daily victims of lawless violence, committed on the great and common highway of nations, even within sight of the country which owes them protection. We behold our vessels, freighted with the products of our soil and industry, or returning with the honest proceeds of them, wrested from their lawful destinations, confiscated by prize courts, no longer the organs of public law, but the instruments of arbitrary edicts, and their unfortunate crews dispersed and lost, or forced or inveigled in British ports into British fleets, while arguments are employed in support of these aggressions, which have no foundation but in a principle equally supporting a claim to regulate our external commerce in all cases whatsoever.

We behold, in fine, on the side of Great Britain, a state of war against the United States; and on the side of the United States, a state of peace toward Great Britain.

Whether the United States shall continue passive under these progressive usurpations and these accumulating wrongs, or, opposing force to

subject of our relations with France will have shown, that cation of her decrees, as they violated the neutral right States, her government has authorized illegal captures t and public ships, and that other outrages have been practisels and our citizens. It will have been seen, also, the had been provided, or satisfactorily pledged, for the exter committed under the violent and retrospective orders of t ernment against the property of our citizens seized within of France. I abstain, at this time, from recommending to tion of Congress definitive measures with respect to that expectation that the result of unclosed discussions betwee plenipotentiary at Paris and the French government will Congress to decide with greater advantage on the course of the interests, and the honor of our country.

### FOURTH ANNUAL MESSAC

NOVEMBER 4, 1812.

Fellow-Citizens of the Senate and House of Representatives

On our present meeting it is my first duty to invite your providential favors which our country has experienced in gree of health dispensed to its inhabitants, and in the r with which the earth has rewarded the labors bestowed successful cultivation of other branches of industry, and in general improvement favorable to the national prosperity, the casion also for our mutual congratulations and thankfulness

With these blessings are necessarily mingled the prosestudes incident to the state of war into which

other parts. Brigadier-General Hull was charged with this provisional service, having under his command a body of troops composed of regulars and volunteers from the state of Ohio. Having reached his destination after his knowledge of the war, and possessing discretionary authority to act offensively, he passed into the neighboring territory of the enemy with the prospect of easy and victorious progress. The expedition, nevertheless, terminated unfortunately, not only in a retreat to the town and fort of Detroit, but in the surrender of both, and of the gallant corps commanded by that officer. The causes of this painful reverse will be investigated by a military tribunal.

A distinguishing feature in the operations which preceded and followed this adverse event, is the use made by the enemy of the merciless savages under their influence. While the benevolent policy of the United States invariably recommended peace and promoted civilization among that wretched portion of the human race, and was making exertions to dissuade them from taking either side in the war, the enemy had not scrupled to call to his aid their ruthless ferocity, armed with the horrors of those instruments of carnage and torture which are known to spare neither age nor sex. In this outrage against the laws of honorable war, and against the feelings sacred to humanity, the British commanders can not resort to a plea of retaliation, for it is committed in the face of our example. They can not mitigate it by calling it a self-defence against men in arms, for it embraces the most shocking butcheries of defenceless families. Nor can it be pretended that they are not answerable for the atrocities perpetrated, since the savages are employed with a knowledge, and even with menaces, that their fury could not be controlled. Such is the spectacle which the deputed authorities of a nation boasting its religion and morality have not been restrained from presenting to an enlightened

The misfortune at Detroit was not, however, without a consoling effect. It was followed by signal proof that the national spirit rises according to the pressure on it. The loss of an important post, and the brave men surrendered with it, inspired everywhere new ardor and determination. In the states and districts least remote, it was no sooner known, than every citizen was ready to fly with his arms at once to protect his brethren against the blood-thirsty savages let loose by the enemy on an extensive frontier, and to convert a partial calamity into a source of invigorated This patriotic zeal, which it was necessary rather to limit than excite, has embodied an ample force from the states of Kentucky and Ohio, and from parts of Pennsylvania and Virginia. It is placed, with the addition of a few regulars, under the command of Brigadier-General Harrison, who possesses the entire confidence of his fellow-soldiers. among whom are citizens, some of them volunteers in the ranks, not less distinguished by their political stations than by their personal merits. The greater portion of this force is proceeding on its destination toward the Michigan territory, having succeeded in relieving an important frontier post, and in several incidental operations against hostile tribes of savages, rendered indispensable by the subserviency into which they had been seduced by the enemy-a seduction the more cruel as it could not fail to impose a necessity of precautionary severities against those who yielded to it.

At a recent date, an attack was made on a post of the enemy near Niagara, by a detachment of the regular and other forces under the comor canada from Detroit having been disappointed, meas ly taken to provide on them a naval force superior to t From the talents and activity of the officer charged with thing that can be done may be expected. Should the I admit of complete success, the progress made will inst naval ascendency where it is essential to our permanen

control over, the savages,

Among the incidents to the measures of the war, I a advert to the refusal of the governors of Massachusetts to furnish the required detachments of militia toward the maritime frontier. The refusal was founded on a nove exposition of the provisions of the constitution relating to correspondences which will be laid before you contain formation on the subject. It is obvious that if the author States to call into service and command the militia for fence can be thus frustrated, even in a state of declar course under apprehensions of invasion preceding war, a nation for the purpose most of all requiring it, and that may have no other resource than in those large and permit tablishments which are forbidden by the principles of ment, and against the necessity of which the militia were constitutional bulwark.

On the coasts and on the ocean the war had been circumstances inseparable from its early stages could prolic ships and private cruisers, by their activity, and, whe casion, by their intrepidity, have made the enemy sensiblence between a reciprocity of captures and the long conto their side. Our trade, with little exception, has sal ports, having been much favored in it by the course purs ron of our frigates under the command of Commodore Rethe instance in which skill and bravery were more partial those of the enemy, the American flag had an authorizant Constitution.

awaiting the delays of a formal and final pacification; and our charge d'affaires at London was at the same time authorized to agree to an armistice founded upon them. These terms required that the orders in council should be repealed as they affected the United States, without a revival of blockades violating acknowledged rules, and that there should be an immediate discharge of American seamen from British ships, and a stop to impressment from American ships, with an understanding that an exclusion of the seamen of each nation from the ships of the other should be stipulated; and that the armistice should be improved into a definitive and comprehensive adjustment of depending controversies. Although a repeal of the orders susceptible of explanations meeting the views of this government had taken place before this pacific advance was communicated to that of Great Britain, the advance was declined, from an avowed repugnance to a suspension of the practice of impressments during the armistice, and without any intimation that the arrangement proposed with respect to seamen would be accepted. Whether the subsequent communications from this government, affording an occasion for reconsidering the subject on the part of Great Britain, will be viewed in a more favorable light or received in a more accommodating spirit, remains to be known. It would be unwise to relax our measures, in any respect, on a presumption of such a result.

The documents from the department of state, which relate to this subject, will give a view also of the propositions for an armistice which have been received here, one of them from the authorities at Halifax and in Canada, the other from the British government itself through Admiral Warren, and of the grounds on which neither of them could be accepted.

Our affairs with France retain the posture which they held at my last communications to you. Notwithstanding the authorized expectations of an early as well as favorable issue to the discussions on foot, these have been procrastinated to the latest date. The only intervening occurrence meriting attention is the promulgation of a French decree purporting to be a definitive repeal of the Berlin and Milan decrees. This proceeding, although made the ground of the repeal of the British orders in council, is rendered by the time and manner of it liable to many objections.

The final communications from our special minister to Denmark afford further proofs of the good effects of his mission, and of the amicable disposition of the Danish government. From Russia we have the satisfaction to receive assurances of continued friendship, and that it will not be affected by the rupture between the United States and Great Britain. Sweden also professes sentiments favorable to the subsisting harmony.

With the Barbary powers, excepting that of Algiers, our affairs remain on the ordinary footing. The consul-general residing with that regency has suddenly and without cause been banished, together with all the American citizens found there. Whether this was the transitory effect of capricious despotism or the first act of pre-determined hostility is not ascertained. Precautions were taken by the consul on the latter supposition.

The Indian tribes not under foreign instigations remain at peace, and receive the civilizing attentions which have proved so beneficial to them.

With a view to that vigorous prosecution of the war to which our national faculties are adequate, the attention of Congress will be particularly drawn to the insufficiency of existing provisions for filling up the military establishment. Such is the happy condition of our country, arising from

vice required in this case is still less attractive than in though patriotism alone has sent into the field some val description, those alone who can afford the sacrifice expected to yield to that impulse.

It will merit consideration, also, whether, as auxiliary our frontiers, corps may not be advantageously organiz tion of their services to particular districts convenie whether the local and occasional services of mariners seaport towns, under a similar organization, would not dition to the means of their defence.

I recommend a provision for an increase of the general army, the deficiency of which has been illustrated by the tance of separate commands, which the course of the way tage of the service have required.

And I can not press too strongly on the earliest atten lature the importance of the re-organization of the staff e a view to render more distinct and definite the relations ties of its several departments. That there is room which will materially promote both economy and succestains to the army and the war, is equally inculcated by other countries and by the experience of our own.

A revision of the militia laws, for the purpose of rend systematic and better adapting them to emergencies of time particularly desirable.

Of the additional ships authorized to be fitted for se shortly ready to sail, a third is under repair, and delay v the repair of the residue. Of the appropriations for the terials for ship-building the greater part has been applied the purchase will be continued with the balance.

The enterprising spirit which has characterized our n success, both in restraining insults and depredations on reprisals on the enemy, will not fail to recommend tion act would immediately cease to operate, and have arrived in the United States. It did not appear proper to exercise, on unforeseen cases of such magnitude, the ordinary powers vested in the treasury department to mitigate forfeitures, without previously affording to Congress an opportunity of making on the subject such provisions as they may think proper. In their decision they will doubtless equally consult what is due to equitable considerations and to the public interest.

The receipts into the treasury during the year ending on the 30th of September last, have exceeded sixteen millions and a half of dollars, which have been sufficient to defray all the demands on the treasury to that day, including a necessary reimbursement of near three millions of the principal of the public debt. In these receipts is included a sum of near five millions eight hundred and fifty thousand dollars, received on account of the loans authorized by the acts of the last session; the whole sum actually obtained on loans amounts to eleven millions of dollars, the residue of which, being receivable subsequent to the 30th of September last, will, together with the current revenue, enable us to defray all the expenses of this year.

The duties on the late unexpected importations of British manufactures will render the revenue of the ensuing year more productive than could

have been anticipated.

The situation of our country, fellow-citizens, is not without its difficulties. though it abounds in animating considerations, of which the view here presented of our pecuniary resources is an example. With more than one nation we have serious and unsettled controversies; and with one, powerful in the means and habits of war, we are at war. The spirit and strength of the nation are nevertheless equal to the support of all its rights, and to carry it through all its trials. They can be met in that confidence. Above all, we have the inestimable consolation of knowing that the war in which we are actually engaged is a war neither of ambition nor of vain glory; that it is waged, not in violation of the rights of others but in the maintenance of our own; hat it was preceded by a patience without example, under wrongs accumulating without end; and that it was finally not declared until every hope of averting it was extinguished by the transfer of the British sceptre into new hands clinging to former councils, and until declarations were reiterated to the last hour, through the British envoy here, that the hostile edicts against our commercial rights and our maritime independence would not be revoked; nay, that they could not be revoked without violating the obligations of Great Britain to other powers, as well as to her own interest. To have shrunk under such circumstances from manly resistance, would have been a degradation blasting our best and proudest hopes; it would have struck us from the high rank where the virtuous struggles of our fathers had placed us, and have betrayed the magnificent legacy which we hold in trust for future generations. It would have acknowledged, that on the element which forms three fourths of the globe we inhabit, and where all independent nations have equal and common rights, the American people were not an independent people, but colonists and vassals. It was at this moment and with such an alternative that war was chosen. The nation felt the necessity of it, and called for it. The appeal was accordingly made, in a just cause, to the just and all-powerful Being who holds in his hand the chain of events and the destiny of nations. It remains only, that faithful to ourselves, entangled in no connexions with the views of other powers, and

### SPECIAL MESSAGE

#### FEBRUARY 22, 1813.

To the Senate and House of Representatives of the United States:

I LAY before Congress a letter, with accompanying documents, from Captain Bainbridge, now commanding the United States frigate the Constitution, reporting his capture and destruction of the British frigate the Java. The circumstances and the issue of this combat afford another example of the professional skill and heroic spirit which prevail in our naval service. The signal display of both by Captain Bainbridge, his officers, and crew, command the highest praise.

This being a second instance in which the condition of the captured ship, by rendering it impossible to get her into port, has barred a contemplated reward of successful valor, I recommend to the consideration of Congress the equity and propriety of a general provision, allowing in such cases, both past and future, a fair proportion of the value which would accrue to the captors on the safe arrival and sale of the prize.

#### SPECIAL MESSAGE.

## FEBRUARY 24, 1813.

To the Senate and House of Representatives of the United States:-

I LAY before Congress copies of a proclamation of the British lieutenant-governor of the island of Bermuda, which has appeared under circumstances leaving no doubt of its authenticity. It recites a British order in council of the 26th of October last, providing for the supply of the British West Indies and other colonial possessions, by a trade under special licenses; and is accompanied by a circular instruction to the colonial governors, which confines licensed importations from ports of the United States to the ports of the eastern states exclusively.

The government of Great Britain has already introduced into her commerce during war, a system which, at once violating the rights of other nations and resting on a mass of perjury and forgery unknown to other times, was making an unfortunate progress in undermining those principles of morality and religion which are the best foundation of national happiness.

The policy now proclaimed to the world introduces into her modes of warfare a system equally distinguished by the deformity of its features and the depravity of its character; having for its object to dissolve the ties of allegiance and the sentiments of loyalty in the adversary nation, and to seduce and separate its component parts the one from the other.

The general tendency of these demoralizing and disorganizing contrivances will be reprobated by the civilized and Christian world, and the insulting attempt on the virtue, the honor, the patriotism, and the fidelity of our brethren of the eastern states, will not fail to call forth all their indignation and resentment, and to attach more and more all the states to that happy union and constitution against which such insidious and malignant artifices are directed.

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# SECOND INAUGURAL ADDF MARCH 4, 1813.

About to add the solemnity of an oath to the obligation second call to the station in which my country has hereto I find, in the presence of this assembly, an opportunity of ing my profound sense of so distinguished a confidence, a sibility united with it. The impressions on me are strengthan evidence, that my faithful endeavors to discharge my have been favorably estimated; and by a consideration of period at which the trust has been renewed. From the nitude now belonging to it, I should be compelled to shr reliance on the support of an enlightened and generous less deeply a conviction, that the war which forms so pring our situation, is stamped with that justice which invide Heaven on the means of conducting it to a successful termination.

May we not cherish this sentiment without presumpled on the characteristics by which this war is distingu

It was not declared on the part of the United States long made on them, in reality, though not in name; ur expostulations had been exhausted; until a positive de received that the wrongs provoking it would not be until this appeal could no longer be delayed, without spirit of the nation, destroying all confidence in itself; stitutions; and either perpetuating a state of disgraced gaining by more costly sacrifices, and more severe stru and respect among independent powers.

On the issue of the war are staked our national sove seas, and security of an important class of

to those of every other class.

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or humanity, have been infringed. The war has been waged on our part, with scrupulous regard to all these relations, and in a spirit of liberality which was never surpassed.

How little has been the effect of this example on the conduct of the

They have retained as prisoners-of-war, citizens of the United States not liable to be so considered under the usages of war.

They have refused to consider as prisoners-of-war, and threatened to punish as traitors and deserters, persons emigrating without restraint to the United States; incorporated by naturalization into our political family, and fighting under the authority of their adopted country, in open and honorable war, for the maintenance of its rights and safety. Such is the avowed purpose of a government, which is in the practice of naturalizing, by thousands, citizens of other countries, and not only of permitting, but compelling them to fight its battles against their native country.

They have not, it is true, taken into their own hands the hatchet and the knife, devoted to indiscriminate massacre, but they have let loose the savage, armed with these cruel instruments; have allured them into their service, and carried them to battle by their sides, eager to glut their savage thirst with the blood of the vanquished, and to finish the work of torture and death on maimed and defenceless captives. And what was never before seen. British commanders have extorted victory over the unconquerable valor of our troops, by presenting to the sympathy of their chief, captives awaiting massacre from their savage associates. And now we find them, in further contempt of the honorable modes of warfare, supplying the place of a conquering force by attempts to disorganize our political society, to dismember our confederated republic. Happily, like others, these will recoil on the authors; but they mark the degenerate councils from which they emanate, and if they did not belong to a series of unexampled inconsistencies, might excite the greater wonder, as proceeding from a government which founded the very war in which it has been so long engaged, against the disorganizing and insurrectional policy of its adversary.

To render the justice of the war on our part the more conspicuous, the reluctance to commence it was followed by the earliest and strongest manifestations of a disposition to arrest its progress. The sword was scarcely out of the scabbard before the enemy was apprized of the reasonable terms on which it should be resheathed. Still more precise advances were repeated, and have been received in a spirit forbidding every reliance not placed on the military resources of the nation.

These resources are amply sufficient to bring the war to an honorable issue. Our nation is, in number, more than half that of the British isles. It is composed of a brave, a free, a virtuous, and an independent people. Our country abounds in the necessaries, the arts, and the comforts of life. A general prosperity is visible in the public countenance. The means employed by the British cabinet to undermine it, have recoiled on themselves; have given to our national faculties a rapid development; and draining or diverting the precious metals from British circulation and British vaults, have poured them into those of the United States. It is a propitious consideration, that an unavoidable war should have found this seasonable facility for the contributions required to support it. When the public voice called for war, all knew, and still know, that without them it could not be carried on, through the period it might last; and the patriotism, the good sense, and the manly spirit of our fellow-citizens, are

### SPECIAL SESSION-MESS

MAY 25, 1813.

Fellow-Citizens of the Senate and House of Representative

AT an early day after the close of the last session of C was formally communicated from his imperial majesty Russia, of his mediation, as the common friend of the U Great Britain, for the purpose of facilitating a peace betw high character of the emperor Alexander being a satisf the sincerity and impartiality of his offer, it was immeand as a further proof of the disposition on the part of the to meet their adversary in honorable experiments for terr it was determined to avoid intermediate delays, incident t the parties, by a definitive provision for the contempla Three of our eminent citizens were accordingly commis requisite powers to conclude a treaty of peace with pers like powers on the part of Great Britain. They are at enter into such conventional regulations of the commer two countries as may be mutually advantageous. The were in the United States at the time of their appointment to join their colleague already at St. Petersburgh.

The envoys have received another commission, auth conclude with Russia a treaty of commerce, with a view t amicable relations and improve the beneficial intercourse countries.

The issue of this friendly interposition of the Russian e pacific manifestation on the part of the United States, time That the sentiments of Great Britain toward that sovereig duced an acceptance of his offered mediation must be n

no adequate mot ... refer a

the mode heretofore proposed by the United States and now exacted by them as an article of municipal policy, can not for a moment be compared with the mode practised by Great Britain without a conviction of its title to preference, inasmuch as the latter leaves the discrimination between the mariners of the two nations to officers exposed by unavoidable bias as well as by a defect of evidence to a wrong decision, under circumstances precluding, for the most part, the enforcement of controlling penalties, and where a wrong decision, besides the irreparable violation of the sacred rights of persons, might frustrate the plans and profits of entire voyages; whereas the mode assumed by the United States guards, with studied fairness and efficacy, against errors in such cases, and avoids the effect of casual errors on the safety of navigation and the success of mercantile expeditions.

If the reasonableness of expectations drawn from these considerations could guaranty their fulfilment, a just peace would not be distant. But it becomes the wisdom of the national legislature to keep in mind the true policy, or rather the indispensable obligation, of adapting its measures to the supposition that the only course to that happy event is in the vigorous employment of the resources of war. And painful as the reflection is, this duty is particularly enforced by the spirit and manner in which the war continues to be waged by the enemy, who, uninfluenced by the unvaried examples of humanity set them, are adding to the savage fury of it on one frontier a system of plunder and conflagration on the other, equally forbidden by respect for national character and by the established rules of civilized warfare.

As an encouragement to perseverance and invigorated exertions to bring the contest to a happy result, I have the satisfaction of being able to appeal to the auspicious progress of our arms both by land and on the water.

In continuation of the brilliant achievements of our infant navy, a signal triumph has been gained by Captain Lawrence and his companions in the Hornet sloop-of-war, which destroyed a British sloop-of-war with a celerity so unexampled, and with a slaughter of the enemy so disproportionate to the loss in the Hornet, as to claim for the conquerors the highest praise, and the full recompense provided by Congress in the preceding cases. Our public ships-of-war in general, as well as the private armed vessels, have continued also their activity and success against the commerce of the enemy, and by their vigilance and address have greatly frustrated the efforts of the hostile squadrons distributed along our coasts to intercept them in returning into port and resuming their cruises.

The augmentation of our naval force, as authorized at the last session of Congress, is in progress. On the lakes our superiority is near at hand where it is not already established.

The events of the campaign, so far as they are known to us, furnish matter of congratulation, and show that under a wise organization and efficient direction the army is destined to a glory not less brilliant than that which already encircles the navy. The attack and capture of York is in that quarter a presage of future and greater victories, while on the western frontier, the issue of the late siege of Fort Meigs leaves us nothing to regret but a single act of inconsiderate valor.

The provisions last made for filling the ranks and enlarging the staff of the army have had the best effects. It will be for the consideration of Congress, whether other provision, depending on their authority, may not still further improve the military establishment and the means of defence.

The receipts in the treasury, from the 1st of October March last, including the sums received on account of t of the loans authorized by the acts of the last and the of Congress, have amounted to fifteen millions four hu thousand dollars. The expenditures during the same p fifteen millions nine hundred and twenty thousand dolla treasury, on the first of April, the sum of one million e fifty-seven thousand dollars. The loan of sixteen m authorized by the act of the 8th of February last, has be Of that sum more than a million of dollars has been paid prior to the 1st of April, and formed a part of the receipt The remainder of that loan, amounting to near fifteen r with the sum of five millions of dollars authorized to be notes, and the estimated receipts from the customs and lands, amounting to nine millions three hundred thou making, in the whole, twenty-nine millions three hund lars to be received during the last nine months of the be necessary to meet the expenditures already authorize ments contracted in relation to public debt. These eng during that period to ten millions five hundred thousa with near one million for the civil, miscellaneous, ar penses, both foreign and domestic, and seventeen milli thousand dollars for the military and naval expenditus ships-of-war building and to be built, will leave a sum the end of the present year equal to that on the first of A of this sum may be considered as a resource for defray. nary expenses already authorized by law beyond the su ted, and a further resource for any emergency may be of one million of dollars, the loan of which to the Unite authorized by the state of Pennsylvania, but which brought into effect.

This view of our finances, while it shows

advantage of a more extended and less precarious revenue, a lower rate of interest might have sufficed. A longer postponement of this advantage could not fail to have a still greater influence on future loans.

In recommending to the national legislature this resort to additional taxes. I feel great satisfaction in the assurance that our constituents, who have already displayed so much zeal and firmness in the cause of their country, will cheerfully give any other proof of their patriotism which it calls for. Happily no people, with local and transitory exceptions never to be wholly avoided, are more able than the people of the United States to spare for the public wants a portion of their private means, whether regard be had to the ordinary profits of industry or the ordinary price of subsistence in our country compared with those in any other. And in no case could stronger reasons be felt for yielding the requisite contributions. By rendering the public resources certain, and commensurate to the public exigences, the constituted authorities will be able to prosecute the war the more rapidly to our proper issue; every hostile hope founded on a calculated failure of its resources will be cut off, and by adding to the evidence of bravery and skill on combats on the ocean and the land, and alacrity in supplying the treasure necessary to give them their fullest effects, and demonstrating to the world the public energy which our political institutions combine, with the personal liberty distinguishing them, the best security will be provided against future enterprises on the rights of the peace of the nation.

The contest in which the United States are engaged appeals for its support to every motive that can animate an uncorrupted and enlightened people: to the love of country; to the pride of liberty; to an emulation of the glorious founders of their independence by a successful vindication of its violated attributes; to the gratitude and sympathy which demand security from the most degraded wrongs of a class of citizens who have proved themselves so worthy the protection of their country by their heroic zeal in its defence; and finally, to the sacred obligation of transmitting entire to future generations that precious patrimony of national rights and independence which is held in trust by the present, from the goodness of Divine Providence.

Being aware of the inconveniences to which a protracted session at this season would be liable, I limit the present communication to objects of primary importance. In special messages which may ensue, regard will be had to the same consideration.

# CONFIDENTIAL MESSAGE.

JULY 20, 1813.

To the Senate and House of Representatives of the United States:-

THERE being sufficient reason to infer that it is the purpose of the enemy to combine with the blockade of our ports special licenses to neutral vessels or to British vessels in neutral disguises, whereby they may draw from our country the precise kind and quantity of exports essential to their wants, while its general commerce remains obstructed, keeping in view also the insidious discrimination between the different ports of the United States; and as such a system, if not counteracted, will have

the effect of diminishing very materially the pressure of the war on the enemy, and encouraging a perseverance in it, at the same time that it will leave the general commerce of the United States under all the pressure the enemy can impose, thus subjecting the whole to British regulation in subserviency to British monopoly, I recommend to the consideration of Congress the expediency of an immediate and effectual prohibition of exports limited to a convenient day in their next session, and removable in the meantime, in the event of a cessation of the blockade of our ports.

### FIFTH ANNUAL MESSAGE.

DECEMBER 7, 1813.

Fellow-Citizens of the Senate and House of Representatives :-

In meeting you at the present interesting conjuncture, it would have been highly satisfactory if I could have communicated a favorable result to the mission charged with negotiations for restoring peace. It was a just expectation, from the respect due to the distinguished sovereign who had invited them by his offer of mediation, from the readiness with which the invitation was accepted on the part of the United States, and from the pledge to be found in an act of their legislature for the liberality which their plenipotentiaries would carry into the negotiations, that no time would be lost by the British government in embracing the experiment for hastening a stop to the effusion of blood. A prompt and cordial acceptance of the mediation on that side was the less to be doubted, as it was of a nature not to submit rights or pretensions on either side to the

ended in the capture of the whole. The conduct of that officer, adroit as it was daring, and which was so well seconded by his comrades, justly entitles them to the admiration and gratitude of their country, and will fill an early page in its naval annals, with a victory never surpassed

in lustre, however much it may have been in magnitude.

On Lake Ontario, the caution of the British commander, favored by contingencies, frustrated the efforts of the American commander to bring on a decisive action. Captain Chauncey was able, however, to establish an ascendency on that important theatre, and to prove by the manner in which he effected everything possible that opportunities only were wanted for a more shining display of his own talents and the gallantry of those under his command.

The success on Lake Erie having opened a passage to the territory of the enemy, the officer commanding the northwestern army transferred the war thither, and rapidly pursuing the hostile troops, fleeing with their savage associates, forced a general action which quickly terminated in the

capture of the British and dispersion of the savage force.

This result is signally honorable to Major-General Harrison, by whose military talents it was prepared; to Colonel Johnson and his mounted volunteers, whose impetuous onset gave a decisive blow to the ranks of the enemy; and to the spirit of the volunteer militia equally brave and patriotic, who bore an interesting part in the scene; more especially to the chief magistrate of Kentucky at the head of them, whose heroism signalized in the war which established the independence of his country, sought at an advanced age a share in hardships and battles for maintaining its rights and its safety.

The effect of these successes has been to rescue the inhabitants of Michigan from their oppressions, aggravated by gross infractions of the capitulation which subjected them to a foreign power; to alienate the savages of numerous tribes from the enemy, by whom they were disappointed and abandoned; and to relieve an extensive region of country from a merciless warfare which desolated its frontiers and imposed on its citi-

zens the most harassing services.

In consequence of our naval superiority on Lake Ontario, and the opportunity afforded by it for concentrating our forces by water, operations which had been provisionally planned were set on foot against the possessions of the enemy on the St. Lawrence. Such, however, was the delay produced in the first instance by adverse weather of unusual violence and continuance, and such the circumstances attending the final movement of the army, that the prospect at one time so favorable was not realized.

The cruelty of the enemy in enlisting the savages into a war with a nation desirous of mutual emulation in mitigating its calamities, has not been confined to any one quarter. Wherever they could be turned against us no exertions to effect it have been spared. On our southwestern border, the Creek tribes, who yielding to our persevering endeavors were gradually acquiring more civilized habits, became the unfortunate victims of seduction. A war in that quarter has been the consequence, infuriated by a bloody fanaticism recently propagated among them. It was necessary to crush such a war before it could spread among the contiguous tribes, and before it could favor enterprises of the enemy into that vicinity. With this view, a force was called into the service of the United States from the states of Georgia and Tennessee, which, with the nearest regular troops, and other corps from the Mississippi territory, might not only

ral Jackson, an officer equally distinguished for his patriotism

The systematic perseverance of the enemy in courting savages in all quarters, had the natural effect of kindling propensity to war into a passion which, even among those toward the United States, was ready, if not employed on o turned against us. A departure from our protracted forbear the services tendered by them, has thus been forced upo vielding to it, the retaliation has been mitigated as much as in its extent and in its character, stopping far short of the enemy, who owe the advantages they have occasionally ga chiefly to the number of their savage associates; and who trolled them either from their usual practice of indiscrimi on defenceless inhabitants, or from scenes of carnage with on prisoners to the British arms, guarded by all the laws of of honorable war. For these enormities the enemy are eq ble, whether with the power to prevent them they want th the knowledge of a want of power they still avail thems instruments.

In other respects the enemy are pursuing a course which sequences most afflicting to humanity.

A standing law of Great Britain naturalizes, as is well known complying with conditions limited to a shorter period than by the United States; and naturalized subjects are in was her government in common with native subjects. In a comprovince, regulations promulgated since the commenceme compel citizens of the United States being there under a stances to bear arms, while of the native emigrants from the who compose much of the population of the province, a actually borne arms against the United States within their whom, after having done so, have become prisoners-of-war our possession. The British commander in that province with the sanction as appears of his government, thought of the province of the province with the sanction as appears of his government, thought of the province of the province with the sanction as appears of his government, thought of the province of the provinc

It was hoped that this necessary consequence of the step unadvisedly taken on the part of Great Britain would have led her government to reflect on the inconsistencies of its conduct, and that a sympathy with the British, if not with the American sufferers, would have arrested the cruel career opened by its example.

This was unhappily not the case. In violation both of consistency and of humanity, American officers and non-commissioned officers, in double the number of the British soldiers confined here, were ordered into close confinement, with formal notice that in the event of a retaliation for the death which might be inflicted on the prisoners-of-war sent to Great Britain for trial, the officers so confined would be put to death also. It was notified at the same time that the commanders of the British fleets and armies on our coasts are instructed, in the same event, to proceed with a destructive severity against our towns and their inhabitants.

That no doubt might be left with the enemy of our adherence to the retaliatory resort imposed on us, a corresponding number of British officers, prisoners-of-war in our hands, were immediately put into close confinement, to abide the fate of those confined by the enemy; and the British government has been apprized of the determination of this government to retaliate any other proceedings against us contrary to the legitimate modes of warfare.

It is as fortunate for the United States that they have it in their power to meet the enemy in this deplorable contest, as it is honorable to them that they do not join in it but under the most imperious obligations, and with the humane purpose of effectuating a return to the established usages of war.

The views of the French government on the subjects which have been so long committed to negotiation have received no elucidation since the close of your late session. The minister plenipotentiary of the United States at Paris had not been enabled by proper opportunities to press the object of his mission as prescribed by his instructions.

The militia being always to be regarded as the great bulwark of defence and security for free states, and the constitution having wisely committed to the national authority a use of that force, as the best provision against an unsafe military establishment, as well as a resource peculiarly adapted to a country having the extent and the exposure of the United States, I recommend to Congress a revision of the militia laws for the purpose of securing more effectually the services of all detachments called into the employment, and placed under the government of the United States.

It will deserve the consideration of Congress, also, whether among other improvements in the militia laws justice does not require a regulation, under due precautions, for defraying the expense incident to the first assembling as well as the subsequent movements of the detachments called into the national service.

To give our vessels-of-war, public and private, the requisite advantage in their cruises, it is of much importance that they should have, both for themselves and their prizes, the use of the ports and markets of friendly powers. With this view, I recommend to Congress the expediency of such legal provisions as may supply the defects or remove the doubts of the executive authority, to allow to the cruisers of other powers at war with the enemies of the United States such use of the American ports as may correspond with the privileges allowed by such powers to American cruisers.

and usurpations no longer to be borne will sufficiently outweigh the privations and sacrifices inseparable from a state of war. But it is a reflection, moreover, peculiarly consoling, that while wars are generally aggravated by their baneful effects on the internal improvements and permanent prosperity of the nations engaged in them, such is the favored situation of the United States, that the calamities of the contest into which they have been compelled to enter are mitigated by improvements and advantages of which the contest itself is the source.

If the war has increased the interruptions of our commerce, it has at the same time cherished and multiplied our manufactures so as to make us independent of all other countries for the more essential branches for which we ought to be dependent on none; and is even rapidly giving them an extent which will create additional staples in our future intercourse with foreign markets.

If much treasure has been expended, no inconsiderable portion of it has been applied to objects durable in their value and necessary to our permanent safety.

If the war has exposed us to increased spoliations on the ocean, and to predatory incursions on the land, it has developed the national means of retaliating the former, and of providing protection against the latter, demonstrating to all that every blow aimed at our maritime independence is an impulse accelerating the growth of our maritime power.

By diffusing through the mass of the nation the elements of military discipline and instruction; by augmenting and distributing warlike preparations applicable to future use; by evincing the zeal and valor with which they will be employed and the cheerfulness with which every necessary burden will be borne, a greater respect for our rights and a longer duration of our future peace are promised than could be expected without these proofs of the national character and resources.

The war has proved, moreover, that our free government, like other free governments, though slow in its early movements, acquires in its progress a force proportioned to its freedom, and that the union of these states, the guardian of the freedom and safety of all and of each, is strengthened by every occasion that puts it to the test.

In fine, the war, with all its vicissitudes, is illustrating the capacity and the destiny of the United States to be a great, a flourishing, and a powerful nation, worthy of the friendship which it is disposed to cultivate with all others, and authorized by its own example to require from all an observance of the laws of justice and reciprocity. Beyond these, their claims have never extended, and in contending for these we behold a subject for our congratulations in the daily testimonies of increasing harmony throughout the nation, and may humbly repose our trust in the smiles of Heaven on so righteous a cause.

#### CONFIDENTIAL MESSAGE.

December 9, 1813.

To the Senate and House of Representatives of the United States :-

THE tendency of our commercial and navigation laws in their present state to favor the enemy and thereby prolong the war, is more and more

The deplorable situation of the savages, thrown by the same event on the mercy and humanity of the American commander at Detroit, drew from the same source the means of saving them from perishing by famine; and in other places the appeals made by the wants and sufferings of that unhappy description of people have been equally imperious.

The necessity imposed by the conduct of the enemy in relation to the savages, of admitting their co-operation in some instances with our arms, has also involved occasional expense in supplying their wants; and it is possible that a perseverance of the enemy in their cruel policy may render a further expense for the like purpose inevitable.

On these subjects an estimate from the department of war will be laid before Congress, and I recommend a suitable provision for them.

### ovice coaficos, and I recommend a sumable provision for mone

#### SPECIAL MESSAGE.

MARCH 31, 1814.

Fellow-Citizens of the Senate and House of Representatives:

Taking into view the mutual interest which the United States and the foreign nations in amity with them have in a liberal commercial intercourse, and the extensive changes favorable thereto which have recently taken place—taking into view, also, the important advantages which may otherwise result from adapting the state of our commercial laws to the circumstances now existing, I recommend to the consideration of Congress the expediency of authorizing, after a certain day, exportations (specie excepted) from the United States, and in vessels of the United States, and in vessels owned and navigated by the subjects of powers at peace with them; and a repeal of so much of our laws as prohibits the importation of articles not the property of enemies, but produced or manufactured only within their dominions.

I recommend, also, as a more effectual safeguard and encouragement to our growing manufactures, that the additional duties on imports which are to expire at the end of one year after a peace with Great Britain, be prolonged to the end of two years after that event; and that, in favor of our moneyed institutions, the exportation of specie be prohibited throughout the same period.

#### SIXTH ANNUAL MESSAGE.

SEPTEMBER 20, 1814.

Fellow-Citizens of the Senate and House of Representatives:-

Notwithstanding the early day which had been fixed for your session of the present year, I was induced to call you together still sooner, as well that any inadequacy in the existing provisions for the wants of the treasury might be supplied, as that no delay might happen in providing for the result of the negotiations on foot with Great Britain, whether it

conducting troops drawn from the militia of the states least distant, particularly of Tennessee, have subdued the principal tribes of hostile savages, and by establishing a peace with them, preceded by recent and exemplary chastisement, has best guarded against the mischief of their co-operation with the British enterprises which may be planned against that quarter of our country. Important tribes of Indians on our northwestern frontier have also acceded to stipulations which bind them to the interests of the United States, and to consider our enemy as theirs also.

In the recent attempt of the enemy on the city of Baltimore, defended by militia and volunteers, aided by a small body of regulars and seamen, he was received with a spirit which produced a rapid retreat to his ships, while a concurrent attack by a large fleet was successfully resisted by the steady and well-directed fire from the fort and batteries opposed to it.

In another recent attack by a powerful force on our troops at Plattsburg, of which regulars made a part only, the enemy, after a perseverance for many hours, was finally compelled to seek safety in a hasty retreat, with our gallant bands pressing upon him.

On the lakes, so much contested throughout the war, the great exertions for the command made on our part have been well repaid. On Lake Ontario our squadron is now, and has been for some time, in a condition to confine that of the enemy to his own port, and to favor the operations of our land forces on that frontier.

A part of the squadron on Lake Erie has been extended into Lake Huron, and has produced the advantage of displaying our command on that lake also. One object of the expedition was the reduction of Mackinaw, which failed with the loss of a few brave men, among whom was an officer justly distinguished for his gallant exploits. The expedition, ably conducted by both the land and the naval commanders, was otherwise highly valuable in its effects.

On Lake Champlain, where our superiority had for some time been undisputed, the British squadron lately came into action with the American, commanded by Captain Macdonough. It issued in the capture of the whole of the enemy's ships. The best praise for this officer and his intrepid comrades is in the likeness of his triumph to the illustrious victory which immortalized another officer, and established at a critical moment our command of another lake.

On the ocean the pride of our naval arms has been amply supported. A second frigate has indeed fallen into the hands of the enemy, but the loss is hidden in the blaze of heroism with which she was defended. Captain Porter, who commanded her, and whose previous career had been distinguished by daring enterprise and by fertility of genius, maintained a sanguinary contest against two ships, one of them superior to his own, and under other severe disadvantages, till humanity tore down the colors which valor had nailed to the mast. This officer and his brave comrades have added much to the rising glory of the American flag, and have merited all the effusions of gratitude which the country is ever ready to bestow on the champions of its rights and of its safety.

Two smaller vessels-of-war have also become prizes to the enemy, but by a superiority of force which sufficiently vindicates the reputations of their commanders; while two others, one commanded by Captain Warrington, the other by Captain Blakely, have captured British ships of the same class, with a gallantry and good conduct which entitle them and their companions to a just share in the praise of their country.

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In spite of the naval force of the enemy accumulated on our coast, our private cruisers also have not ceased to annoy his commerce and to bring their rich prizes into our ports; contributing thus, with other proofs, to demonstrate the incompetency and illegality of a blockade, the proclamation of which is made the pretext for vexing and discouraging the commerce of neutral powers with the United States.

To meet the extended and diversified warfare adopted by the enemy, great bodies of militre have been taken into service for the public defence and great expenses incurred. That the defence everywhere may be both more convenient and more economical. Congress will see the necessity of immediate measures for filling the ranks of the regular army, and of enlarging the provision for special corps, mounted and unmounted, to be engaged for longer periods of service than are due from the militia. I carnestly renew, at the same time, a recommendation of such changes in the system of the militia, as, by classing and disciplining for the most prompt and active service the portions most capable of it, will give to that great resonance for the public safety all the requisite energy and efficiency.

The moneys received into the treasury during the nine months ending on the 30th day of June last, amounted to thirty-two millions of dollars, of which near eleven millions were the proceeds of the public revenue, and the remainder derived from loans. The disbursements for public expenditures during the same period exceeded thirty-four millions of dollars, and left in the treasury, on the first day of July, near five millions of dollars. The demands during the remainder of the present year, already authorized by Congress, and the expenses incident to an extension of the operations of the war, will render it necessary that large sums should be provided to meet them.

From this view of the national affairs, Congress will be urged to take



danger and duty call. In offering their blood they gave the surest pledge that no other tribute will be withheld.

Having forborne to declare war until to other aggressions had been added the capture of nearly a thousand American vessels, and the impressment of thousands of American seafaring citizens, and until a final declaration had been made by the government of Great Britain that her hostile orders against our commerce would not be revoked but on conditions as impossible as unjust, while it was known that these orders would not otherwise cease but with a war which had lasted, nearly twenty years, and which according to appearances at that time, might last as many more; having manifested, on every occasion and in every proper mode, a sincere desire to arrest the effusion of blood and meet our enemy on the ground of justice and reconciliation, our beloved country, in still opposing to his persevering hostility all its energies, with an undiminished disposition toward peace and friendship on honorable terms, must carry with it the good wishes of the impartial world, and the best hopes of support from an omnipotent and kind Providence.

### BANK MESSAGE.

JANUARY 30, 1815.

To the Senate of the United States:-

Having bestowed on the bill entitled, "An act to incorporate the subscribers to the Bank of the United States of America," that full consideration which is due to the great importance of the subject, and dictated by the respect which I feel for the two houses of Congress, I am constrained, by a deep and solemn conviction that the bill ought not to become a law, to return it to the senate, in which it originated, with my objections to the same.

Waiving the question of the constitutional authority of the legislature to establish an incorporated bank, as being precluded in my judgment by repeated recognitions under varied circumstances, of the validity of such an institution in acts of the legislative, executive, and judicial branches of the government, accompanied by indications, in different modes, of a concurrence of the general will of the nation, the proposed bank does not appear to be calculated to answer the purposes of reviving the public credit, of providing a national medium of circulation, and of aiding the treasury by facilitating the indispensable anticipations of the revenue, and by affording to the public more durable loans.

1. The capital of the bank is to be compounded of specie, of public stock, and of the treasury-notes convertible into stock, with a certain pro-

portion of each of which every subscriber is to furnish himself.

The amount of the stock to be subscribed will not, it is believed, be sufficient to produce, in favor of the public credit, any considerable or lasting elevation of the market price, while this may be occasionally depressed by the bank itself, if it should carry into the market the allowed proportion of its capital, consisting of public stock, in order to procure specie, which it may find its account in procuring with some sacrifice on the part of its capital.

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Nor will any adequate advantage arise to the public credit from the subscription of treasury-notes. The actual issue of these notes nearly equals at present, and will soon exceed, the amount to be subscribed to the bank. The direct effect of this operation is simply to convert fifteen millions of treasury-notes into fifteen millions of six per cent. stock, with the collateral effect of promoting an additional demand for treasury-notes

beyond what might be otherwise negotiable.

Public credit might indeed be expected to derive advantage from the establishment of a national bank, without regard to the formation of its capital, if the full aid and co-operation of the institution were secured to the government during the war, and during the period of its fiscal embarrassments. But the bank proposed will be free from all legal obligation to co-operate with the public measures, and whatever might be the patriotic disposition of its directors to contribute to the removal of those embarrassments, and to invigorate the prosecution of the war, fidelity to the pecuniary and general interest of the institution, according to their estimation of it, might oblige them to decline a connexion of their operations with those of the national treasury, during the continuance of the war and the difficulties incident to it. Temporary sacrifices of interest, though overbalanced by the future and permanent profits of the charter, not being requirable of right in behalf of the public, might not be gratuitously made, and the bank would reap the full benefit of the grant while the public would lose the equivalent expected from it. For it must be kept in view, that the sole inducement to such a grant on the part of the public would be the prospect of substantial aids to its pecuniary means at the present crisis and during the sequel of the war. It is evident that the stock of the bank will, on the return of peace, if not sooner, rise in the market to a value which, if the bank were established in

enable it, by a flow of specie into its vaults and a removal of the external demand for it, to derive its contemplated emoluments from a safe and full extension of its operations.

On the whole, when it is considered that the proposed establishment will enjoy the monopoly of the profits of a national bank for a period of twenty years; that the monopolized profits will be continually growing with the progress of the national population and wealth; that the nation will during the same period, be dependent on the notes of the bank for that species of circulating medium, whenever the precious metals may be wanted, and at all times for so much thereof as may be an eligible substitute for a specie medium; and that the extensive employment of the notes in the collection of the augmented taxes will, moreover, enable the bank greatly to extend its profitable issues of them, without the expense of specie capital to support their circulation, it is as reasonable as it is requisite that the government, in return for these extraordinary concessions to the bank, should have a greater security for attaining the public objects of the institution than is presented in the bill, and particularly for every practicable accommodation, both in the temporary advances necessary to anticipate the taxes, and in those more durable loans which are equally necessary to diminish the resort to taxes.

In discharging this painful duty of stating objections to a measure which has undergone the deliberations and received the sanction of the two houses of the national legislature, I console myself with the reflection, that if they have not the weight which I attach to them they can be constitutionally overruled, and with a confidence that in a contrary event the wisdom of Congress will hasten to substitute a more commensurate and certain provision for the public exigencies.

#### SPECIAL MESSAGE.

#### FEBRUARY 20, 1815.

To the Senate and House of Representatives of the United States:—

I LAY before Congress copies of the treaty of peace and amity between the United States and his Britannic majesty, which was signed by the commissioners of both parties at Ghent, on the 24th of December, 1814, and the ratifications of which have been duly exchanged.

While performing this act, I congratulate you and our constituents upon an event which is highly honorable to the nation, and terminates with peculiar felicity a campaign signalized by the most brilliant successes.

The late war, although reluctantly declared by Congress, had become a necessary resort to assert the rights and independence of the nation. It has been waged with a success which is the natural result of the wisdom of the legislative councils, of the patriotism of the people, of the public spirit of the militia, and of the valor of the military and naval forces of the country. Peace, at all times a blessing, is peculiarly welcome therefore at a period when the causes for the war have ceased to operate; when the government has demonstrated the efficiency of its powers of defence; and when the nation can review its conduct without regret and without reproach.

I recommend to your care and beneficence the gallant men whose achievements in every department of the military service, on the land and on the water, have so essentially contributed to the honor of the American name, and to the restoration of peace. The feelings of conscious patriotism and worth will animate such men under every change of fortune and pursuit, but their country performs a duty to itself when it bestows those testimonials of approbation and applause which are at once the reward and the incentive to great actions.

The reduction of the public expenditures to the demands of a peace establishment will doubtless engage the immediate attention of Congress. There are, however, important considerations which forbid a sudden and general revocation of the measures that have been produced by the war. Experience has taught us that neither the pacific dispositions of the American people, nor the pacific character of their political institutions, can altogether exempt them from that strife which appears, beyond the ordinary lot of nations, to be incident to the actual period of the world; and the same faithful monitor demonstrates that a certain degree of preparation for war is not only indispensable to avert disasters in the onset, but affords also the best security for the continuance of peace. The wisdom of Congress will therefore, I am confident, provide for the maintenance of an adequate regular force; for the gradual advancement of the naval establishment; for improving all the means of harbor defence; for adding discipline to the distinguished bravery of the militia; and for cultivating the military art in its essential branches, under the liberal patronage of government.

The resources of our country were at all times competent to the attainment of every national object, but they will now be enriched and invigorated by the activity which peace will introduce into all the means of



us, let us never cease to inculcate obedience to the laws and fidelity to the Union as constituting the palladium of the national independence and prosperity.

### SPECIAL MESSAGE.

FEBRUARY 25, 1815.

To the Senate and House of Representatives of the United States:-

Peace having happily taken place between the United States and Great Britain, it is desirable to guard against incidents which during the periods of war in Europe might tend to interrupt it; and it is believed, in particular, that the navigation of American vessels exclusively by American seamen, either natives or such as are already naturalized, would not only conduce to the attainment of that object, but also to increase the number of our seamen, and consequently to render our commerce and navigation independent of the service of foreigners, who might be recalled by their governments under circumstances the most inconvenient to the United States. I recommend the subject, therefore, to the consideration of Congress, and in deciding upon it I am persuaded that they will sufficiently estimate the policy of manifesting to the world a desire on all occasions to cultivate harmony with other nations, by any reasonable accommodations which do not impair the enjoyment of any of the essential rights of a free and independent people. The example on the part of the American government will merit, and may be expected to receive, a reciprocal attention from all the friendly powers of Europe.

#### CONFIDENTIAL MESSAGE.

FEBRUARY 23, 1815.

To the Senate and House of Representatives of the United States:-

Congress will have seen by the communication from the consul-general of the United States at Algiers, laid before them on the 17th of November, 1812, the hostile proceedings of the dey against that functionary. These have been followed by acts of more overt and direct warfare against the citizens of the United States trading in the Mediterranean, some of whom are still detained in captivity, notwithstanding the attempts which have been made to ransom them, and are treated with the rigor usual on the coast of Barbary.

The considerations which rendered it unnecessary and unimportant to commence hostile operations on the part of the United States being now terminated by the peace with Great Britain, which opens the prospect of an active and valuable trade of their citizens within the range of the Algerine cruisers, I recommend to Congress the expediency of an act declaring the existence of a state of war between the United States and the dey and regency of Algiers, and of such provisions as may be requisite for a vigorous prosecution of it to a successful issue.

MADISON'S SEVENTH ANNUAL MESSAGE.

# SEVENTH ANNUAL MESSAGE.

DECEMBER 5, 1815.

c-Citizens of the Senate and House of Representatives :-

AVE the satisfaction, on our present meeting, of being able to commuto you the successful termination of the war which had been comed against the United States by the regency of Algiers. The squadn advance on that service, under Commodore Decatur, lost not a ent after its arrival in the Mediterranean in seeking the naval force e enemy then cruising in that sea, and succeeded in capturing two s ships, one of them the principal ship commanded by the Algerine The high character of the American commander was brilliantly ined on the occasion which brought his own ship into close action that of his adversary, as was the accustomed gallantry of all the ers and men actually engaged. Having prepared the way by this onstration of American skill and prowess, he hastened to the port of ers, where peace was promptly yielded to his victorious force. In terms stipulated, the rights and honor of the United States were parlarly consulted by a perpetual relinquishment, on the part of the dey, ill pretensions to tribute from them. The impressions which have s been made, strengthened as they will have been by subsequent transons with the regency of Tunis and Tripoli, by the appearance of larger force which followed under Commodore Bainbridge, the chief command of the expedition, and by the judicious precautionary argements left by him in that quarter, afford reasonable prospect of future curity for the valuable portion of our commerce which passes within a cruel war on their part had compelled us to chastise into peace, have latterly shown a restlessness which has called for preparatory measures for repressing it, and for protecting the commissioners engaged in carrying the terms of the peace into execution.

The execution of the act for fixing the military peace establishment has been attended with difficulties which even now can only be overcome by legislative aid. The selection of officers; the payment and discharge of the troops enlisted for the war; the payment of the retained troops. and their reunion from detached and distant stations; the collection and security of the public property, in the quartermaster, commissary, and ordnance departments; and the constant medical assistance required in hospitals and garrisons, rendered a complete execution of the act impracticable on the first of May, the period more immediately contemplated. As soon, however, as circumstances would permit, and as far as it has been practicable consistently with the public interests, the reduction of the army has been accomplished; but the appropriations for its pay, and for other branches of the military service, having proved inadequate, the earliest attention to that subject will be necessary; and the expediency of continuing upon the peace establishment the staff officers who have hitherto been provisionally retained is also recommended to the consideration of Congress.

In the performance of the executive duty upon this occasion there has not been wanting a just sensibility to the merits of the American army during the late war; but the obvious policy and design in fixing an efficient military peace establishment did not afford an opportunity to distinguish the aged and infirm on account of their past services, nor the wounded and disabled on account of their present sufferings. The extent of the reduction indeed unavoidably involved the exclusion of many meritorious officers of every rank from the service of their country; and so equal, as well as so numerous, were the claims to attention, that a decision by the standard of comparative merit could seldom be attained. Judged, however, in candor, by a general standard of positive merit, the army register will, it is believed, do honor to the establishment, while the case of those officers whose names are not included in it devolves with the strongest interests upon the legislative authority, for such provision as shall be deemed the best calculated to give support and solace to the veteran and invalid, to display the beneficence, as well as the justice of the government, and to inspire a martial zeal for the public service upon every future emergency.

Although the embarrassments arising from the want of a uniform national currency have not been diminished since the adjournment of Congress, great satisfaction has been derived in contemplating the revival of the public credit, and the efficiency of the public resources. The receipts into the treasury, from the various branches of revenue, during the nine months ending on the 30th of September last, have been estimated at twelve millions and a half of dollars; the issues of treasury-notes of every denomination during the same period amounted to the sum of fourteen millions of dollars; and there was also obtained upon loan during the same period, a sum of nine millions of dollars, of which the sum of six millions of dollars was subscribed in cash, and the sum of three millions of dollars in treasury-notes. With these means added to the sum of one million and a half of dollars, being the balance of money in the treasury on the first of January, there has been paid between the 1st of January and

the 1st of October, on account of the appropriations of the preceding and of the present year (exclusively of the amount of the treasury-notes subscribed to the loan, and the amount redeemed in the payment of duties and taxes), the aggregate sum of thirty-three millions and a half of dollars, leaving a balance then in the treasury estimated at the sum of three millions of dollars. Independent, however, of the arrearages due for military services and supplies, it is presumed that a further sum of five millions of dollars, including the interest on the public debt payable on the first of January next, will be demanded at the treasury to complete the expenditures of the present year, and for which the existing ways and

means will sufficiently provide.

The national debt, as it was ascertained on the first of October last. amounted in the whole to the sum of one hundred and twenty millions of dollars, consisting of the unredeemed balance of the debt contracted before the late war (thirty-nine millions of dollars), the amount of the funded debt contracted in consequence of the war (sixty-four millions of dollars), and the amount of the unfunded floating debt (including the various issues of treasury-notes), seventeen millions of dollars, which is in a gradual course of payment. There will probably be some addition to the public debt upon the liquidation of various claims which are depending; and a conciliatory disposition on the part of Congress may lead honorably and advantageously to an equitable arrangement of the militia expenses incurred by the several states without the previous sanction or authority of the government of the United States; but when it is considered that the new as well as the old portion of the debt has been contracted in the assertion of the national rights and independence, and when it is recollected that the public expenditures, not being exclusively bestowed upon subjects of a transient nature, will long be visible in the number and equipments of the American navy, in the military works for the defence of our

ought to find in their love of peace, and their constant respect for the rights of other nations, the character of the times particularly inculcates the lesson that, whether to prevent or repel danger, we ought not to be unprepared for it. This consideration will sufficiently recommend to Congress a liberal provision for the immediate extension and gradual completion of the works of defence, both fixed and floating, on our maritime frontier, and an adequate provision for guarding our inland frontier against dangers to which certain portions of it may continue to be exposed.

As an improvement in our military establishment, it will deserve the consideration of Congress whether a corps of invalids might not be so organized and employed as at once to aid in the support of meritorious individuals excluded by age or infirmities from the existing establishment, and to preserve to the public the benefit of their stationary services and of their exemplary discipline. I recommend, also, an enlargement of the military academy already established, and the establishment of others in other sections of the Union. And I can not press too much on the attention of Congress such a classification and organization of the militia as will most effectually render it the safeguard of a free state. If experience has shown in the recent spendid achievements of militia the value of this resource for the public defence, it has shown also the importance of that skill in the use of arms and that familiarity with the essential rules of discipline which can not be expected from the regulations now in force. With this subject is intimately connected the necessity of accommodating the laws, in every respect, to the great object of enabling the political authority of the Union to employ promptly and effectually the physical power of the Union in the cases designated by the constitution.

The signal services which have been rendered by our navy, and the capacities it has developed for successful co-operation in the national defence, will give to that portion of the public force its full value in the eyes of Congress, at an epoch which calls for the constant vigilance of all governments. To preserve the ships now in a sound state, to complete those already contemplated, to provide amply the imperishable materials for prompt augmentations, and to improve the existing arrangements into more advantageous establishments for the construction, the repairs, and the security of vessels-of-war, is dictated by the soundest

policy.

In adjusting the duties on imports to the object of revenue, the influence of the tariff on manufactures will necessarily present itself for consideration. However wise the theory may be which leaves to the sagacity and interest of individuals the application of their industry and resources, there are in this, as in other cases, exceptions to the general rule. Besides the condition which the theory itself implies of a reciprocal adoption by other nations, experience teaches that so many circumstances must occur in introducing and maturing manufacturing establishments, especially of the more complicated kinds, that a country may remain long without them, although sufficiently advanced, and in some respects even peculiarly fitted for carrying them on with success. Under circumstances giving a powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justify the belief that with a protection not more than is due to the enterprising citizens whose interests are now at stake, it will become at an early day not only safe against occasional competitions from abroad, but a source of domestic wealth and even of external commerce. In selectng the branches more especially entitled to the public patronage, a preference is obviously claimed by such as will relieve the United States from a dependence on foreign supplies, ever subject to casual failures, for articles necessary for the public defence, or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures, where the materials for them are extensively drawn from our agriculture, and consequently impart and insure to that great and of national prosperity and independence an encouragement which can of fail to be rewarded.

Among the means of advancing the public interest, the occasion is a proper one for recalling the attention of Congress to the great importance f establishing throughout our country the roads and canals which can est be executed under the national authority. No objects within the cirle of political economy so richly repay the expense bestowed upon them; here are none, the utility of which is more universally ascertained and cknowledged; none that do more honor to the government whose wise nd enlarged patriotism duly appreciates them. Nor is there any country rhich presents a field where nature invites more the art of man to comlete her own work for his accommodation and benefit. These considertions are strengthened, moreover, by the political effect of these facilies for intercommunication in bringing and binding more closely together he various parts of our extended confederacy. While the states individally, with a laudable enterprise and emulation, avail themselves of their ocal advantages by new roads, by navigable canals, and by improving the treams susceptible of navigation, the general government is the more rged to similar undertakings, requiring a national jurisdiction and nation-I means, by the prospect of thus systematically completing so inestimale a work. And it is a happy reflection, that any defect of constituthe water, the nation finds itself possessed of a growing respect abroad, and of a just confidence in itself, which are among the best pledges for its peaceful career. Under other aspects of our country, the strongest features of its flourishing condition are seen in a population rapidly increasing on a territory as productive as it is extensive; in a general industry and fertile ingenuity which find their ample rewards; and in an affluent revenue which admits a reduction of the public burdens without withdrawing the means of sustaining the public credit, of gradually discharging the public debt, of providing for the necessary defensive and precautionary establishments, and of patronizing, in every authorized mode, undertakings conducive to the aggregate wealth and individual comfort of our citizens.

It remains for the guardians of the public welfare to persevere in that justice and good will toward other nations which invite a return of these sentiments toward the United States; to cherish institutions which guaranty their safety and liberties civil and religious; and to combine with a liberal system of foreign commerce an improvement of the natural advantages, and a protection and extension of the independent resources, of our highly-favored and happy country.

In all measures having such objects, my faithful co-operation will be

afforded.

#### EIGHTH ANNUAL MESSAGE.

DECEMBER 3, 1816.

Fellow-Citizens of the Senate and House of Representatives:

In reviewing the present state of our country, our attention can not be withheld from the effect produced from peculiar seasons which have very generally impaired the annual gifts of the earth and threaten scarcity in particular districts. Such, however, is the variety of soils, of climates, and of products, within our extensive limits that the aggregate resources of subsistence are more than sufficient for the aggregate wants. And as far as an economy of consumption, more than usual, may be necessary, our thankfulness is due to Providence for what is far more than a compensation, in the remarkable health which has distinguished the present year.

Amid the advantages which have succeeded the peace of Europe, and that of the United States with Great Britain, in a general invigoration of industry among us, and in the extension of our commerce, the value of which is more and more disclosing itself to commercial nations, it is to be regretted that a depression is experienced by particular branches of our manufactures, and by a portion of our navigation. As the first proceeds in an essential degree from an excess of imported merchandise, which carries a check in its own tendency, the cause in its present extent can not be of very long duration. The evil will not, however, be viewed by Congress without a recollection that manufacturing establishments, if suffered to sink too low, or languish too long, may not revive after the causes shall have ceased; and that in the vicissitudes of human affairs situations may recur in which a dependence on foreign sources for indispensable supplies may be among the most serious embarrassments.

The depressed state of our navigation is to be ascribed, in a material

degree, to its exclusion from the colonial ports of the nation most extensively connected with us in commerce, and from the indirect operation of that exclusion.

Previous to the late convention at London, between the United States and Great Britain, the relative state of the navigation laws of the two countries, growing out of the treaty of 1794, had given to the British navigation a material advantage over the American in the intercourse between the American ports and British ports in Europe. The convention of London equalized the laws of the two countries relating to those ports, leaving the intercourse between our ports and the ports of the British colonies subject as before to the respective regulations of the parties. The British government, enforcing new regulations which prohibit a trade between its colonies and the United States in American vessels, while they permit a trade in British vessels the American navigation suffers accordingly, and the loss is augmented by the advantage which is given to the British competition over the American, in the navigation between our ports and British ports in Europe, by the circuitous voyages enjoyed by the one and not enjoyed by the other.

The reasonableness of the rule of reciprocity, applied to one branch of the commercial intercourse, has been pressed on our part as equally applicable to both branches; but it is ascertained that the British cabinet declines all negotiation on the subject, with a disavowal, however, of any disposition to view in an unfriendly light whatever countervailing regulations the United States may oppose to the regulations of which they com-The wisdom of the legislature will decide on the course which, under these circumstances, is prescribed by a joint regard to the amicable relations between the two nations, and to the just interests of the United

I have the satisfaction to state, generally, that we remain in amity with

warfare on our commerce, we rely on the protection it will find in our naval force actually in the Mediterranean.

With the other Barbary states our affairs have undergone no change.

The Indian tribes within our limits appear also disposed to remain at peace. From several of them purchases of lands have been made, particularly favorable to the wishes and security of our frontier settlements as well as to the general interests of the nation. In some instances the titles, though not supported by due proof, and clashing those of one tribe with the claims of another, have been extinguished by double purchases, the benevolent policy of the United States preferring the augmented expense to the hazard of doing injustice, or to the enforcement of justice against a feeble and untutored people by means involving or threatening an effusion of blood. I am happy to add that the tranquillity which has been restored among the tribes themselves, as well as between them and our own population, will favor the resumption of the work of civilization which had made an encouraging progress among some tribes, and that the facility is increasing for extending that divided and individual ownership. which exists now in moveable property only, to the soil itself; and of thus establishing, in the culture and improvement of it, the true foundation for a transit from the habits of the savage to the arts and comforts of social life.

As a subject of the highest importance to the national welfare, I must again earnestly recommend to the consideration of Congress a reorganization of the militia, on a plan which will form it into classes according to the periods of life more or less adapted to military services. An efficient militia is authorized and contemplated by the constitution, and required by the spirit and safety of free government. The present organization of our militia is universally regarded as less efficient than it ought to be made, and no organization can be better calculated to give to it its due force, than a classification which will assign the foremost place in the defence of the country to that portion of its citizens whose activity and animation best enable them to rally to its standard. Besides the consideration that a time of peace is the time when the change can be made with the most convenience and equity, it will now be aided by the experience of a recent war, in which the militia bore so interesting a part.

Congress will call to mind that no adequate provision has yet been made for the uniformity of weights and measures also contemplated by the constitution. The great utility of a standard fixed in its nature, and founded on the easy rule of decimal proportions, is sufficiently obvious. It led the government at an early stage to preparatory steps for introducing it, and a completion of the work will be a just title to the public gratitude.

The importance which I have attached to the establishment of a university within this district, on a scale and for objects worthy of the American nation, induces me to renew my recommendation of it to the favorable consideration of Congress. And I particularly invite again their attention to the expediency of exercising their existing powers, and where necessary, of resorting to the prescribed mode of enlarging them, in order to effectuate a comprehensive system of roads and canals, such as will have the effect of drawing more closely together every part of our country by promoting intercourse and improvements, and by increasing the share of every part in the common stock of national prosperity.

Occurrences have taken place which show that the statutory provisions for the dispensation of criminal justice are deficient in relation both to places and to persons, under the exclusive cognizance of the national

prohibiting the introduction of slaves and by punishing the ticipating in the traffic, can not but be gratified at the proncurrent efforts of other nations toward a general supprean evil. They must feel at the same time the greaters the fullest efficacy to their own regulations. With that visition of Congress appears to be required by the violation which it is suggested are chargeable on unworthy citizen the slave-trade under foreign flags and with toreign ports, importations of slaves into the United States through adjuterritories. I present the subject to Congress with a fit their disposition to apply all the remedy which can be amendment of the law. The regulations which were in against abuses of a kindred character in the trade between states ought also to be rendered more effectual for their h

To these recommendations I add, for the consideration expediency of a remodification of the judiciary establish additional department in the executive branch of the gove

The first is called for by the accruing business which ne the duties of the federal courts, and by the great and widen which justice is to be dispensed by them. The time seem which claims for members of the supreme court a relief fatigues, incompatible as well with the age which a portialways have attained, as with the researches and prepara due to their stations and to the juridical reputation of their considerations equally cogent require a more convenient the subordinate tribunals, which may be accomplished wit tionable increase of the number or expense of the judges.

The extent and variety of executive business also accum progress of our country and its growing population, call fo department, to be charged with duties now overburdenin ments, and with such as have not been annexed to any dep

The course of experience recommends, as another impre-

subject of great gratification to find that even within the short period which has elapsed since the return of peace, the revenue has far exceeded all the current demands upon the treasury, and that under any probable diminution of its future annual products which the vicissitudes of commerce may occasion, it will afford an ample fund for the effectual and early extinguishment of the public debt. It has been estimated that, during the year 1816, the actual receipts of revenue at the treasury, including the balance at the commencement of the year, and excluding the proceeds of loans and treasury-notes, will amount to about the sum of forty-seven millions of dollars; that during the same year the actual payments at the treasury, including the payment of the arrearages of the war department as well as the payment of a considerable excess beyond the annual appropriations, will amount to about the sum of thirty-eight millions of dollars; and that consequently, at the close of the year, there will be a surplus in the treasury of about the sum of nine millions of dollars.

The operations of the treasury continue to be obstructed by difficulties arising from the condition of the national currency; but they have nevertheless been effectual to a beneficial extent in the reduction of the public debt and the establishment of the public credit. The floating debt of the treasury-notes and temporary loans will soon be entirely discharged. The aggregate of the funded debt, composed of debts incurred during the wars of 1776 and of 1812, has been estimated with reference to the 1st of January next, at a sum not exceeding one hundred and ten millions of dollars. The ordinary annual expenses of the government for the maintenance of all its institutions, civil, military, and naval, have been estimated at a sum less than twenty millions of dollars. And the permanent revenue to be derived from all the existing sources has been estimated at a sum of about twenty-five millions of dollars.

Upon this general view of the subject, it is obvious that there is only wanting to the fiscal prosperity of the government the restoration of a uniform medium of exchange. The resources and the faith of the nation displayed in the system which Congress has established, insure respect and confidence at home and abroad. The local accumulations of the revenue have already enabled the treasury to meet the public engagements in the local currency of most of the states, and it is expected that the same cause will produce the same effect throughout the Union. But for the interests of the community at large, as well as for the purposes of the treasury, it is essential that the nation should possess a currency of equal value, credit, and use, wherever it may circulate. The constitution has intrusted Congress exclusively with the power of creating and regulating a currency of that description, and the measures which were taken during the last session, in execution of the power, give every promise of success. The bank of the United States has been organized under auspices the most favorable, and can not fail to be an important auxiliary to those measures.

For a more enlarged view of the public finances, with a view of the measures pursued by the treasury department previous to the resignation of the late secretary, I transmit an extract from the last report of that officer. Congress will perceive in it ample proofs of the solid foundation on which the financial prosperity of the nation rests, and will do justice to the distinguished ability and successful exertions with which the duties of the department were executed during a period remarkable for its difficulties and its peculiar perplexities.

The period of my retiring from the public service being at a little dis-Vol. I.—22 respect abroad. I can indulge the proud reflection that the Abave reached, in safety and success, their fortieth year as nation; that for nearly an entire generation they have of their present constitution, the offspring of their undisturband of their free choice; that they have found it to bear twees as well as prosperous circumstances; to contain in it the foderate and elective principles, a reconcilement of publindividual liberty, of national power for the defence of national asceurity against wars of injustice, of ambition, and of virundamental provision which subjects all questions of wathen nation itself, which is to pay its costs and feel its circle it less a peculiar felicity of this constitution, so dear the found to be capable, without losing its vital energies, could over a spacious territory with the increase and expansionally for whose benefit it was established.

And may I not be allowed to add to this gratifying a shall read in the character of the American people, in th true liberty and to the constitution which is its palladium that the destined career of my country will exhibit a government ing the public good as its sole object, and regulating its great principles consecrated by its charter and by those n to which they are so well allied: a government which w purity of elections, the freedom of speech and of the pre jury, and the equal interdict against the encroachments an tween religion and state; which maintains inviolable the lic faith, the security of persons and property, and encou authorized mode, that general diffusion of knowledge w to public liberty its permanency, and to those who posse the true enjoyment of it: a government which avoids intr ternal repose of other nations, and repels them from its ov justice to all nations with a readiness equal to the firmr it requires justice

### SPECIAL MESSAGE.

APRIL 11, 1816.

To the Senate and House of Representatives of the United States :-

With a view to the more convenient arrangement of the important and growing business connected with the grant of exclusive rights to inventors and authors, I recommend the establishment of a distinct office within the department of state, to be charged therewith, under a director, with a salary adequate to his services, and with the privilege of franking communications by mail from and to the office. I recommend, also, that further restraints be imposed on the issue of patents to wrongful claimants, and further guards provided against fraudulent exactions of fees by persons possessed of patents.

#### SPECIAL MESSAGE.

DECEMBER 6, 1816.

To the Senate and House of Representatives of the United States:-

The ninth section of the act passed at the last session of Congress, " to authorize the payment for property lost, captured, or destroyed by the enemy, while in the military services of the United States, and for other purposes," having received a construction giving it a scope of great and uncertain extent, I thought it proper that proceedings relative to claims under that part of the act should be suspended, until Congress should have an opportunity of defining more precisely the cases contemplated by them. With that view, I now recommend the subject to their consideration. They will have an opportunity, at the same time, of considering how far other provisions of the act may be rendered more clear and precise in their import.

### SPECIAL MESSAGE.

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DECEMBER 26, 1816.

To the Senate and House of Representatives of the United States:-

It is found that the existing laws have not the efficacy necessary to prevent violations of the obligations of the United States as a nation at peace toward belligerent parties, and other unlawful acts on the high seas, by armed vessels equipped within the waters of the United States.

With a view to maintain, more effectually, the respect due to the laws, to the character, and to the neutral and pacific relations of the United States, I recommend to the consideration of Congress the expediency of such further legislative provisions as may be requisite for detaining vessels actually equipped, or in a course of equipment with a warlike force, within the jurisdiction of the United States; or, as the case may be, for obtaining from the owners or commanders of such vessels adequate securities against

### FEBRUARY 3, 1817.

# To the Senate and House of Representatives of the United &

The government of Great Britain, induced by the postutions with the United States, which succeeded the conclusion commercial convention, issued an order on the 17th day of discontinuing the discriminating duties payable in British of can vessels and their cargoes. It was not until the 22d of lowing, that a corresponding discontinuance of discrimina British vessels and their cargoes, in American ports, took et authority vested in the executive, by the act of March, 181t period between those two dates there was, consequently, a procity, or equality, in the existing regulations of the two recommend to the consideration of Congress, the expedience the British government the amount of the duties remitted, riod in question, to the citizens of the United States, subject of the amount of whatever discriminating duties may have British ports after the signature of that convention, and been vious to the 17th of August, 1815.

## SPECIAL MESSAGE.

FEBRUARY 6, 1817.

To the Senate and House of Representatives of the United

On comparing the fourth section of the act of Congress, 31, 1814, providing for the indemnification of certain claims lands in the Mississippi territory, with the article of agreement between the United States and state of Georgie 1802, it appears the

### ADMINISTRATION OF MADISON.

On the fourth of March, 1809, James Madison was inaugurated as president of the United States. The oath of office was administered to him by Chief-Justice Marshall, in the capitol, at Washington in the presence of the ex-president, Mr. Jefferson, who sat at his right hand, the members of the late cabinet, many members of Congress, foreign ministers, and a large concourse of citizens. He was dressed in a plain suit of black, and delivered his inaugural address in a manner at once modest and dignified. The tone and sentiment of the address elicited general approbation, and hopes were entertained by the nation, that the gloomy aspect of affairs might be changed by the measures of the new administration with regard to our foreign relations. These anticipations of the people were doomed to disappointment.

Mr. Madison selected for his cabinet, Robert Smith, of Maryland, as secretary of state, William Eustis, of Massachusetts, secretary of war, Paul Hamilton, of South Carolina, secretary of the navy; Mr. Gallatin was continued as secretary of the treasury, as was Cesar A. Rodney, of Delaware, attorney-general.

The eleventh Congress met on the 22d of May, 1809, agreeably to a law passed by the previous Congress, in consequence of the critical state of the nation, and the apprehension of a war with Great Britain or France. The democratic ascendency in the house of representatives having been sustained at the recent elections, Joseph B. Varnum was re-elected speaker.

At this session, the non-intercourse act with Great Britain and France, which had been substituted for the embargo, by the last Congress, was continued, with some modifications. No very material alterations were made in the law, nor was any other very important measure adopted at this extra session, which lasted only about five weeks, and was terminated on the 28th of June.

Mr. Erskine, the British minister at Washington, considering the nonintercourse law as placing Great Britain and France on an equality, made a communication to the government of the United States, in April, informing it that he was authorized, by despatches received from his governgovernment retused to sanction the overture and arrang their minister, who, they declared, had exceeded the auth structions; and he admitted that he had done so, in a lette ment, in which he says, that "nothing would have induced in any degree, from the orders I had received, but a thor that by so doing I should accomplish the object which his view; when by too strictly adhering to the letter of my might lose the opportunity of promoting essentially his ma and wishes."

The president thereupon issued a second proclamatic facts, and declaring the act of non-intercourse to be full effect. Mr. Erskine was soon after recalled, and an pointed in his stead. This transaction caused great irritalic mind and hostility toward England, among the America declaration of war at this time with England, would propopular.

Mr. Jackson, the British envoy who succeeded Mr. Ers Washington at the close of the year 1809. He was direct reasons for a refusal by the British government to confirm ment made Mr. Erskine, and was authorized to enter into a commercial treaty. But far from displaying the mild a spirit of his predecessor, he attempted to vindicate the hogovernment by dealing in censures and criminations upon to of the United States, in a style unusual in diplomatic correst insinuated that the president and secretary of state must ha Mr. Erskine had deviated from his instructions, and transcents; and after the

apology for his conduct. Nor did the British ministry think proper to send another envoy to the United States until some months had elapsed after the return of Mr. Jackson to England.

Mr. Pinkney, the American minister to Great Britain, was continued at that court, but his efforts at negotiating proved unavailing, and early in 1811 he was instructed to return home. The British government, the same year appointed Mr. Foster minister to the United States, who effected a settlement of the affair of the Chesapeake frigate in November, 1811, and remained at Washington until the declaration of war against Great Britain, in 1812.

Congress again assembled on the 27th of November, 1809, and continued in session until the 1st of May, 1810—but during this period of more than five months, few acts of general importance were passed: among them were several respecting the public lands; also laws respecting the postoffice establishment and postroads, the territories, lighthouses, compensation to ministers to foreign countries, consuls, &c.; providing for taking the census in 1810; for payment of a portion of the public debt, by creating a new loan, &c. The non-intercourse with Great Britain and France was continued by a new act, and a joint resolution was adopted in relation to the controversy between the executive and Francis James Jackson, the British envoy to the United States; the language of whose official letters to Mr. Smith, the secretary of state, was declared to be highly indecorous and insolent, the conduct of the executive toward him approved, and Congress solemnly pledged to stand by the executive government, in its refusal to receive any further communication from said Jackson, and to call into action the whole force of the nation, if it should become necessary, to repel such insults, and to assert and maintain the rights, the honor, and interests of the United

In the early part of the year 1810, the French decree of Rambouillet was made known, and alleged by the emperor Napoleon to have been issued in retaliation of the non-intercourse act of the United States. All American vessels which, since the 20th of March, 1808, had entered any French port, or the ports of any French colony, or of any country occupied by the French, or which should thereafter enter, were declared forfeit, and were to be sold for the benefit of the national treasury of France. In addition to the numerous condemnations under this decree, the French privateers committed various depredations on American commerce.

By the new non-intercourse act already referred to, which was passed by Congress in May, 1810, it was provided, that if either Great Britain or France would repeal her obnoxious orders or decrees, and the other nation did not, within three months thereafter, repeal hers, that then intercourse should be renewed with the nation repealing her acts, while towAmerican vessels and their cargoes, therefore, continued to be seized by British cruisers, and condemned in their admiralty courts.

During the third session of the 11th Congress, from the 3d of December, 1810, to the 3d of March, 1811, the subject of our foreign relations attracted much attention. The president's course toward France, and his proclamation, were approved by Congress, and the non-intercourse act was revived against Great Britain. Certain parts of the former act had been repealed, so as to induce mercantile enterprise with Great Britain and dependencies, but now the goods imported from British dominions were made liable to seizure; and bonds were required of the importers, to await a legal decision. The prices of British goods in the United States were then so high as to induce the merchants to take the risk of bonding the goods for the full amount of their invoice value.

At the same session of Congress, the people of Louisiana were authorized to form a constitution and state government, preparatory to being admitted into the Union.

The charter of the bank of the United States, which institution was incorporated in 1791, expired, by limitation, on the 4th of March, 1811, and a bill having been introduced into Congress to renew the charter, was indefinitely postponed, in the house of representatives, on the 24th of January, 1811, by a vote of 65 to 64. In the senate, a similar bill was rejected by the casting vote of the vice-president, George Clinton, on the 5th of February, 1811—the senate being equally divided on the question, 17 to 17. The provisions of the bill were said to have been, in a great measure, conformable to the views of the secretary of the treasury, Mr. Gallatin.

Mr. Madison and his cabinet made further efforts to conciliate the favor, or to prevent the hostile measures, of the emperor of France. In February, 1811, Joel Barlow was appointed minister to France, with instructions and full powers to negotiate a treaty of commerce with that government. Mr. Barlow was received with favor by the ministers of Napoleon, and they intimated a desire to form a treaty with the United States. But the policy of the emperor was to exclude British manufactures from the continent of Europe; in accomplishing which, he believed, the commerce of the United States must be restricted, or be under his control. Nothing, therefore, was effected by Mr. Barlow, with regard to a settlement of our difficulties with France.

The course of the administration with regard to the belligerent powers, England and France, was much censured by the opposition party. A distinguished senator of that party, from Connecticut, remarked, that "the path for the administration to pursue was as plain as a turnpike—the two belligerent nations should have been treated with strict impartiality; an embargo laid for a short and limited period; permission to merchants to arm their vessels, and such measures of defence, both on the land and on the

The presence of Mr. Clay as speaker, and of Messrs, Calhoun, Cheves, and Lowndes, of South Carolina, with other active and spirited members of the house of representatives, aided by William H. Crawford, of Georgia, and a few others in the senate, infused new vigor into the ranks of the supporters of the administration. It was soon determined that inactivity and indecision should no longer be the policy of the democratic party. For several years, including the latter part of Jefferson's administration, war with England had been contemplated by the executive government of the United States, as a probable event; but we have already seen Mr. Jefferson carefully avoided war measures, and Mr. Madison endeavored to pursue a similar course. The non-intercourse laws and other restrictive measures, it was perceived, were becoming unpopular with the people, a great portion of whom were desirous that this policy should be changed. It was believed by the new leaders of the democratic party in Congress, that efficient measures were now demanded by the people, and that a war with Great Britain would be popular, particularly with the party which sustained the administration.

The first efforts of the members of Congress favorable to a declaration of war with Great Britain, were directed to measures preparatory to the expected contest with that powerful nation. The effects of the policy which had been pursued by Mr. Jefferson, in reducing the army and navy, were now severely felt. For several years preceding this period, the military peace establishment had stood at only about 3,000 men, and the navy consisted at this time of only twenty vessels—ten frigates, and ten sloops-of-war and smaller vessels. The gunboats which had been built in different parts of the United States, about one hundred and fifty in number, were only calculated for harbor defence.

The policy of the administration respecting a standing army and a navy, was now changed, principally through the advice and influence of Mr. Clay, Mr. Calhoun, and Mr. Lowndes, notwithstanding they met with opposition from many of their democratic associates. Bills were passed for augmenting the army, by providing for the enlistment of twenty thousand men; also authorizing the president of the United States to accept of the services of volunteers to the number of fifty thousand men; and providing for the more complete organization of the army; authorizing the president to cause the frigates in ordinary to be repaired, equipped, and put into actual service; and appropriations were made for the purchase of timber and other materials for building additional frigates. The president was also authorized to require of the executives of the several states and territories, the organizing, arming, and equipment of their respective proportions of one hundred thousand militia, and to hold them in readiness to march at a moment's warning; and one million of dollars was appropriated toward defraying the expense of carrying the act into effect.

President Madison was, with much difficulty, brought to acquiesce in

York who were dissatisfied with Mr. Madison's course, hat templation to nominate for the presidency, De Witt Clinton lieutenant-governor of that state, mayor of the city of high in the confidence of the party. His pretensions we Gideon Granger, the postmaster-general, and other influence.

In this state of things, Mr. Madison was waited upon by leading republican members of Congress, and informed, in war with England was now resolved upon by the democ supporters of his administration; that the people would no to a dilatory and inefficient course, on the part of the n ment; that unless a declaration of war took place previous tial election, the success of the democratic party might and the government thrown into the hands of the federalis Mr. Madison consented to act with his friends, and acception of war with Great Britain, neither his nomination nor to the presidency could be relied on. Thus situated, Mr. cluded to waive his own objections to the course determ political friends, and to do all he could for the prosecution which he had no taste; and he pretended to no knowledge science or profession.

The president did not sustain himself with counsellors occasion. His cabinet consisted, at this time, of James Mo of state, who succeeded Robert Smith in November, 181 latin, secretary of the treasury; William Eustis, secretary Hamilton, secretary of the navy; and William Pinkney, at who succeeded Cæsai these cabinet officers.

declaration of war premature while government was so entirely unprepared. The postmaster-general, Gideon Granger, not then a cabinet officer, but at the head of a department important for military operations, was disaffected to the president, in party sympathy with senators and others professing, perhaps entertaining, inclinations for the war, but denying that with Madison as leader, it ever could prosper.

On the 9th of March, 1812, Mr. Madison transmitted Congress a special message, with certain documents which had been communicated to the executive by John Henry, a native of Ireland, who alleged that he had been employed as a secret agent of the British government, in the New England states, "in intrigues with the disaffected, for the purpose of bringing about resistance to the laws, and eventually, in concert with a British force, of destroying the Union, and forming the eastern part thereof into a political connexion with Great Britain."

John Henry was born a subject of Great Britain. For a while he had resided in this country, and held a commission in the army of the United States. Having left the service, by his own account he resided some time in Vermont, and afterward returned to his natural allegiance, and became a resident of Canada. There, in the beginning of the year 1809, if his own account is to be credited, he was employed by Sir James H. Craig. governor of Canada, to repair to Boston, for the purpose of ascertaining whether the federal politicians of the New England states, particularly those of Massachusetts, were desirous of withdrawing from the Union. and forming a close connexion with Great Britain. Accordingly, in the month of February of that year, he commenced his journey, and after spending some time in Vermont, and passing through New Hampshire, he reached Boston early in the month of March. Having taken his station in the New England capital, he opened his correspondence with his employers in Canada. His first letter is dated March 5, 1809, in which he remarked that it had not thus far appeared necessary for him to discover to any person the object of his visit; nor was it probable that he should find it necessary, for the purpose of gaining a knowledge of the arrangements of the federal party, to avow himself as a regular authorized agent of the British government, even to those who would keep the secret—that he had sufficient means of information to enable him to judge of the proper time for offering the co-operation of Great Britain, and opening a correspondence between the governor-general of British America and disaffected individuals in Massachusetts. Accordingly, he remained unknown at Boston till the 25th of May following, when he wrote to his principals at Quebec, that it would be unnecessary for him in the existing state of things, and unavailing also, to attempt to carry effect the original purposes of his mission. He was soon recalled that mission, and returned to Canada; and in 1811 was in England,

\* Ingersoll's History of the War.

some sort of land speculation; but very few knew or care employed. He was a handsome, well-behaved man, and w some respectable families."

The British minister at Washington, in a letter to Mr. Moretary of state, dated the 11th of March, 1812, disclaimed m on his own part, having had any knowledge whatever of the such a mission, or of such transactions as the communi-Henry referred to, and expressed his conviction that, from a of those branches of his majesty's government with which course, no countenance whatever was given by them to any tile to the internal tranquillity of the United States.

The committee on foreign relations, in Congress, to whom and documents were referred, in their report, remarked that, action disclosed by the president's message, presents to the committee conclusive evidence, that the British government of peace, and during the most friendly professions, have been and perfidiously pursuing measures to divide these states, a our citizens in all the guilt of treason, and the horrors of a c

Henry, in this transaction, was accompanied by a foreign who called his name Crillon, and claimed the title of coun through a long examination before the committee of foreign his testimony was considered unimportant.

It appears that Henry, after being unsuccessful in Englan his claims upon that government, sailed for the United States at Boston in December, 1811. He visited Governor Gerry, o setts, who gave him a letter of introduction to Mr. Medicon

In February, 1812,

money, and had returned northwardly, and was at Baltimore on the 11th of February, and that his letter of disclosure to James Monroe is dated the 20th of that month, at Philadelphia. It is remarkable that Mr. Madison had these disclosures at least twenty-five days before he made them known to Congress; that when he did so make them known, Henry was actually under sail for France, and, consequently, could not be called on for any explanation.

The Henry plot proved of no advantage to the administration and its supporters, but had a tendency to increase and extend the feelings of exasperation and enmity toward the government, entertained by a large majority of the New England people, whose characters were assailed by the pretended exposure of Henry, although he did not mention the name of even a solitary person who ever uttered a sentence of disaffection to the Union, or of a wish to form a connexion with Great Britain. Besides a majority of the people of New England, the federal party throughout the Union, and a respectable portion of the democratic party, were opposed to the approaching declaration of war. Still, the leading men among the friends of the administration felt a confidence that the measure was required, and would be sustained, by a majority of the people.

After the return of Mr. Pinkney to the United States, from his mission to England, Mr. Madison appointed Jonathan Russell charge d'affaires of the United States at London. Mr. Russell reached London in November, 1811. On the 14th of February, 1812, he wrote to Mr. Monroe, secretary of state, that at that time there had been exhibited no evidence on the part of the British government to repeal the orders in council. On the 4th of March he wrote to Mr. Monroe, informing him that he had attended the discussions in parliament, on motions by Lord Lansdowne and Mr. Brougham, "and if anything was wanting to prove the inflexible determination of the present ministry to persevere in the orders in council, without modification or relaxation, the declarations of the leading members of administration on these occasions, must place it beyond the possibility of a doubt. Mr. Percival said, 'As England was contending for the defence of her maritime rights, and for the preservation of her national existence, which essentially depended on the maintenance of those rights, she could not be expected, in the prosecution of this great and primary interest, to arrest or vary her course, to listen to the pretensions of neutral nations, or to remove the evils, however they might be regretted, which the imperious policy of the times indirectly and unintentionally extended to them.'

"I no longer entertain a hope that we can honorably avoid war.
On the 30th of May, 1812, Mr. Foster, the British
ington, addressed a long letter to Mr. Monroe, in which
whole ground of controversy between the United States

Sullivan.

companied as it was by an adequate blockading force), 1 consonant to the established law of nations, and a leg the practice which it recognises.

"Secondly, that Great Britain must continue to rejous doctrines promulgated by France in the duke of binding upon all nations. She can not admit, as a true lic law, that free ships make free goods, nor the convetion, that enemy's ships destroy the character of nen cargo: she can not consent, by the adoption of such a absolutely the commerce of France from the pressure of Great Britain, and, by the abuse of the neutral flag, to obtain, without the expense of sustaining a navy property of French subjects, a degree of freedom and s the commerce of her own subjects can not find under t British navy.

"She can not admit, as a principle of public law, that stores are alone contraband of war, and that ship-timb are excluded from that description. Neither can she taliation, that the mere fact of commercial intercourse and subjects should be made a crime in all nations, a and decrees of France should be directed to enforce and unheard-of in war.

"Great Britain feels, that to relinquish her just m fence and retaliation, would be to surrender the best preservation and rights; and with them the rights o long as France maintains and a surrender to the surr

Such was the

called Louisiana, was organized under the name of the Missouri territory.

Among other important acts passed at this session, besides the declaration of war were the following: To prohibit the exportation of specie. goods, wares, or merchandise, from the United States during the continuance of the embargo; for the establishment of a general land office in the treasury department: to provide for the surveying of six millions of acres of the public lands, to be set apart and reserved for the purpose of satisfying the bounties of one hundred and sixty acres each promised to the soldiers of the United States by the acts previously passed for augmenting the army; authorizing the issue of five millions of dollars in treasurynotes: imposing one hundred per cent. additional duties on imports; confirming grants to lands in the Mississippi territory, on British or Spanish warrants made prior to October 27, 1795; appropriating an additional sum for the Cumberland road; establishing various postroads; prohibiting American vessels from trading with the enemy; and an act authorizing a subscription for the old six per cent, and deferred stocks, and providing for an exchange of the same. A law was also passed for the apportionment of representatives in Congress according to the census of 1810.

The elections in 1812, in those states where the same were held in the spring, were generally unfavorable to the administration; although the opinion was entertained and expressed, by a large proportion of the people, that Congress would not declare war. The federal party prevailed in the elections in Massachusetts, Rhode Island, Connecticut, and New York; showing a considerable change in favor of that party, compared with the elections of the previous year.

It was with some difficulty that a majority of Congress were induced to vote for the preliminary measures to the declaration of war; but on the question of the embargo, the majority in the house of representatives was twenty-nine votes, in favor of the act.

On the first of June, the president transmitted a special message to Congress, in which he reviewed the difficulties which had occurred in our relations with Great Britain, and those which then existed; describing, in strong language, the aggressions with which we had been visited by that nation. This message was referred to the committee on foreign relations, in the house of representatives, a majority of whom, viz., John C. Calhoun, of South Carolina; Felix Grundy, of Tennessee; John Smilie, of Pennsylvania; John A. Harper, of New Hampshire; Joseph Desha, of Kentucky; and Ebenezer Seaver, of Massachusetts, agreed upon, and reported to the house on the 3d of June, a manifesto, as the basis of a dislaration of war. The reasons given by the committee for an immediate appeal to arms were, in substance, as followed pressment of American seamen by the commanders of British doctrine and system of blockade; and the Vol. I.—23

fourteen days after it was submitted to that body, w 19 to 13. At first it was evident that the majority w a proposition was made, on which the senate were exfirst vote, for granting reprisals against the commerce public or private ships of the United States; but after cipline and urging, a majority voted in favor of it. Of the house who voted for the war, 62 resided south, a Delaware; of the 19 senators who voted on the sar south, and 5 north, of the Delaware. Thus the war been a measure of the south and west, to take care of north, much against the will of the latter. The who bers in both branches, residing north of the Delaware only 21 voted for the war.

The act declaring war was approved by the presid June, 1812, and is remarkably short and comprehens by the attorney-general of the United States, William the words following:—

"An act declaring war between the United Kingdom of Ireland, and the dependencies thereof, and the United Statheir territories.

"Be it enacted, &c. That war be, and the same is exist between the United Kingdom of Great Britain as dependencies thereof, and the United States of Americ ries; and that the president of the United States is he use the whole land and naval force of the United States into effect, and to issue to price the united States into effect, and to issue to price the united States into effect, and to issue to price the united States into effect, and to issue to price the united States into effect, and to issue to price the united States into effect, and to issue to price the united States into effect, and the united States into effect, and the united States into effect, and the united States in the unit

organized, composed principally of the federalists and some disaffected democrats, under the name of "the peace party." This party endeavored to compel the government to make peace by raising every possible obstruction to the prosecution of the war. This course was considered as more actuated by feelings of party spirit than by patriotism, and many prominent federalists gave the government their support, whenever they found them disposed to carry on the war with vigor and effect.

On the 26th of June, Congress passed an act respecting letters of marque, prizes, and prize goods; and great expectations were entertained of the injuries to be inflicted upon British commerce by our privateers, as well as the profits to be gained thereby, by American adventurers in such enterprises.

There was a great incongruity between appropriations for the war and provision for them, and, without a cent to be raised by taxes, more than fifteen millions of dollars were appropriated for the army, and nearly two millions seven hundred thousand for the navy, when the income by customs and sales of public lands, in 1812, was only about nine millions and a half. The only fiscal measures of the twelfth Congress at the first session, were a loan of eleven millions of dollars, authorized by act of the 14th of March, 1812, doubling the duties on importations, and providing for the issue of five millions of treasury-notes.

The British government had resisted the demand of the American government, for the repeal of the orders in council, from August, 1810, to May, 1812, on the specific ground that the French decree of revocation of the former date was conditional. But upon receiving official intelligence that France had definitively revoked her decrees, the British orders in council were repealed in June, 1812, within five days after the declaration of war by Congress. A little delay on the part of the American government would have removed this ground of controversy, and left nothing for this country to contend for but freedom from impressment. The French emperor had authorized his minister to declare to the American government, that the Berlin and Milan decrees were revoked on the 1st of November, 1810. Upon this annunciation, application was made by our government to that of Great Britain, to follow the example set by France, and repeal their orders in council. This was refused on the part of Great Britain, on the ground that the revocation of the French decrees was not absolute, but was conditional. This question gave rise to repeated and labored discussions between the two governments, the American negotiators maintaining with great zeal that the repeal was absolute, and those of Great Britain contending with equal pertinacity that it was conditional. In the course of a conversation between Mr. Rayland like American minister in France, with the duke of Bassas duke produced a decree, dated April 28, 1811, mondeclaring the Berlin and Milan decrees definitively from the 1st of November, 1810.

house of representatives, in a debate on the embai 1812. "Mr. Clay warmly expressed his satisfaction of the president's message, and the proposition now (the embargo). He approved of it, because it is to precursor to war. He considered this as a war mea should discuss it. Sir, after the pledges we have ma have taken, are we now to cover ourselves with shar grace, by retreating from the measures and ground did not think we were upon this occasion in the leas conduct of France in burning our vessels; that may consideration. We have complete evidence as to have selected. As weak and imbecile as we are, France if necessary. There is no intrinsic difficulty there is no terror except what arises from the novelty come in contact with our enemy? On our own conti please to call these sentiments quixotic, he would say their sense of honor. We know no pains have been government. If we now proceed we shall be supported Many of our people have not believed that war is to have been wilfully blinded. He was willing to give It remains for us to say whether we will shrink, or fol conduct of the president. As an American and a me he felt a pride that the executive had recommended said he was at issue with the gentleman from Virginia to the public sentiment. That it is with us, is proved patriotic resolutions of fourteen ion in the couther

presidency was De Witt Clinton, who was nominated at a meeting of the republican members of the legislature, on the 29th of May, 1812. Of 91 members present at the caucus, 87 approved of the nomination of Mr. Clinton. The federalists held a convention in the city of New York, in September, 1812, when seventy members were present, from eleven states. It was resolved to support Mr. Clinton, as the best chance of defeating Mr. Madison. Jared Ingersoll, of Pennsylvania, was nominated for vice-president, in opposition to Mr. Gerry.

Congress adjourned on the 6th of July, 1812; previous to which they passed a resolution requesting the president to recommend a day of public humiliation and prayer to be observed by the people of the United States, and the offering of supplications to Almighty God for the safety and welfare of the states, his blessing on their arms, and the speedy restoration of peace. The president therefore issued his proclamation on the 9th of July, recommending the third Thursday in August to be set apart for the above purpose, which day was accordingly observed.

On the 26th of June, or eight days after the declaration of war, Mr. Monroe, secretary of state, wrote to Mr. Russell, chargé des affaires of the United States in England, informing him of the declaration, and authorizing him to propose an armistice to the British government, if the orders in council were repealed, and no illegal blockades substituted for them—also that orders were given to discontinue the impressment of seamen. The British government, through Lord Castlereagh, on the 29th of August, communicated to Mr. Russell their refusal to accede to the proposition of the government of the United States, "as being on various grounds absolutely inadmissible." Mr. Russell therefore demanded and obtained his passports, and left England in September.

When the orders in council were repealed, on the 23d of June, 1812, almost simultaneously with our declaration of war, the expectation in England was so strong of the war being prevented or stopped, that the first step of the British ex-minister to the United States, when he reached Halifax, on his way to England, was to send to the governor-general of Canada, to propose to the American government terms of pacification. Mr. Foster had, no doubt, assured his government that war would never be declared, as the opponents of the measure had encouraged him in the persuasion that it was impossible. And when the British orders in council were repealed, that government had every reason to be confident that it neither could nor would be persevered in. Great Britain was, moreover, at that moment, absorbed by her stupendous struggle with France, and her statesmen had neither time, means, nor thought, to bestow upon a remote and comparatively insignificant conflict on this side of the Atlantic, with an unarmed, unwarlike, and divided people. Nearly seven medical liberary fore elapsed after the declaration of war, before England tant step of counteraction. The English manifesto was

Halifax to Bermuda, consisted of six 74 gunships, I sloops-of-war; all under the command of Admiral War in the Chesapeake bay, a few in the Delaware bay, and along the coast. On the 20th of March, 1813, the who ted States was declared to be in a state of blockade, of Rhode Island, Massachusetts, and New Hampshire the exception of several states was obviously to sow dis United States.\*

Admiral Warren had arrived at Halifax in Septemb invested, not only with an extensive naval command, power to negotiate a provisional accommodation with our the 30th of September, he wrote from Halifax to Mr. M tary of state, that the departure of Mr. Foster from Ame on the admiral the charge of making known to the gover ted States the sentiments entertained by the prince rege ing relations of the two countries. The orders in counc to exist nearly at the same time that the United States receipt of which declaration, an order in council, dated issued, to detain American vessels. Under these circu miral proposed, as he was directed, the immediate cessa between the two countries. Should the American gove this proposal for the cessation of hostilities, Admiral Wa ized to arrange a revocation of the laws interdicting Britiships-of-war from the harbors and waters of the United fault of such revocation, he says, the orders in council and 1809, were to be re

Mr. Monroe's answer ... - Imir

pressment should be suspended. Experience, it was said, had evinced that no peace could be durable unless that object was provided for. The United States could not admit or acquiesce in the right of impressment during negotiation. The orders in council having been repealed, and no illegal blockades revived or substituted in their stead, and an understanding being obtained on the subject of impressment, the president was willing to agree to a cessation of hostilities, with a view to arrange by treaty every other subject of controversy.

The British government refusing these terms of accommodation, war was continued for the single grievance of impressment, with the English menace that such blockades as the repealed orders in council authorized, that is, illegal blockades, which Lord Melville pronounced impracticable, would also be enforced.

The conditions proffered by our government, through Mr. Russell, their charge d'affaires in London, when war was declared, were stated by the president, in his annual message to Congress, on the 4th of November, 1812, without reference to the rejected overture from Admiral Warren. They were, repeal of the orders in council, no revival of blockades violating established rules, a stop put to the practice of impressment, and immediate discharge of American seamen from British ships. In return, we proffered an act of Congress, not a mere executive assurance, for the exclusion of British seamen, nav. more, all British natives. from our vessels, provided Great Britain excluded Americans from hers. On these terms an armistice, to prevent hostilities and bloodshed, could be improved into definitive and comprehensive adjustment of all depending controversies. These were reasonable and moderate terms; but which, while England was at war with France, there was little hope she would accept, impressment, if there be any right to it, being a war right, at all events a war need. The terms were rejected as soon as proffered to Great Britain.\*

Previous to the arrival of Admiral Warren, another attempt had been made on the British side, to bring about a suspension of hostilities. By the advice of Mr. Foster, the British ex-minister, Sir George Prevost, governor of Canada, in July, 1812, despatched his adjutant-general, Baynes, with a flag of truce, to Greenbush, near Albany, where General Dearborn, of the American army, was stationed, to negotiate with him an armistice, which Dearborn was prevailed upon at once to subscribe. It suspended military operations, excepting General Hull's expedition, till the president's pleasure should be ascertained. This proposal was not made by the British government itself, but only through its colonial agents, and might not be sanctioned in England; besides, it was thought it would advantages to Great Britain, and, constantly insisting on impressment a grievance to be removed, Mr. Madison at once refused to confirm

• Ingersoll.

and disgrace. A considerable army, under General Canada, but soon returned to Detroit, which post attacked by a British army, to whom it was surrend commander, in August, 1812. Several other disaster can arms on the northern and western frontiers a campaign, but in some instances the American bravery, and evinced that they only required skilful asuccess.

Most unexpectedly to the administration and the n liant exploits attended the small naval establishment commencing with the capture of the British frigate G stitution, Captain Hull, on the 18th of August, 1812. on the 18th of October, by the surrender of the Britis American sloop-of-war Wasp, Captain Jones; and same month, the frigate United States, Captain Do British frigate Macedonian. The Constitution was aga 30th of December, when she was commanded by Con and captured the British frigate Java.

This succession of triumphs completely established favor, as well as convinced the administration of its it that period the democratic party abandoned its opposit lishment, consenting also to its gradual increase. The sess incurred for this purpose were approved by the fee always advocated the policy of a navy.

The presidential election in 1812 resulted in the son as president for another term of four year.

dent that the opposition was powerful and increasing, particularly in the eastern and middle states.

Congress assembled on the 2d of November, 1812, and continued in session until the 3d of March, 1813, when their term expired. The principal acts passed related to the army and navy, and to provide means for carrying on the war. Authority was given to the executive for the construction of four ships of seventy-four guns each, six frigates, and six sloops-of-war; to issue five millions of dollars in treasury-notes; and to create a new stock for a loan of sixteen millions of dollars. Laws were also passed for further augmenting the army, and for the more perfect organization of the same; to encourage vaccination among the citizens of the United States generally; prohibiting the employment on board the public or private armed vessels of any seamen except citizens of the United States, or native persons of color, after the termination of the war. The object of the last act, was to induce the British government to come to some arrangement respecting the impressment of seamen. Another act vested in the president the power of retaliation for any violation of the laws and usages of civilized nations, by British officers, or by Indians in alliance with the British government, or those acting under the authority of the said government. An important bill to the commercial interest was also passed, principally through the efforts of Mr. Cheves, of South Carolina, in its behalf, directing the secretary of the treasury to remit certain fines, penalties, and forfeitures; in other words, to cancel the merchants' bonds given for goods seized under the non-importation act, and imported from Great Britain and Ireland after the declaration of war. This bill was opposed by most of the democratic members in the house of representatives, and was carried by the close vote of 64 to 61.

On the 4th of March, 1813, the second term of Mr. Madison commenced, in consequence of his re-election to the presidency. At twelve o'clock on that day, having attended at the capitol, for the purpose of taking the oath of office, he delivered to the vast concourse of people assembled on the occasion, his inaugural address.

Some changes had taken place in Mr. Madison's cabinet, previous to his re-election. On the 12th of January, 1813, William Jones, of Pennsylvania, was appointed secretary of the navy, in place of Paul Hamilton, resigned; and General John Armstrong, having returned from France, was, on the 13th of January, appointed secretary of war, in place of Doctor Eustis, resigned.

The 13th Congress assembled at the capitol on the 24th of May, 1813, in conformity to an act passed the preceding February, and continued in session until the second of August. The democratic majority in the house of representatives was shown in the election of speaker. Henry Class was again chosen, receiving 89 votes, to 54 for Mr. Pitkin, of Connection a leading federalist, and there were five scattering votes. The majority

emperor Alexander, of his mediation between the Un Britain, with a view to bring about peace between then ister at the same time declared, that the emperor took p tice to the wisdom of the government of the United State that it had done all that it could to prevent the ruptur March, the president formally accepted the Russian me days afterward appointed Messrs. Albert Gallatin, John James A. Bayard, commissioners or envoys to negotia with Great Britain, under the mediation of the emperor Gallatin and Bayard embarked soon after from Philac Neptune, under a flag of truce, to join Mr. Adams in arrived in the Baltic in June following. It was pro confidential relation between Mr. Adams and the empe tion of Russia was tendered; and it appears, by off have been first suggested to Mr. Adams, at St. Petersby minister, Romanzoff, on the 20th of September, 1812; nicated the same to Mr. Daschkoff, Russian ambassa States.

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Mr. Adams was then American minister at the Rusbeen appointed by Mr. Madison to that mission, in 180 October, 1812, that Mr. Adams had information of our wascember, 1812, did he get a duplicate of his despatches dated July 1st, 1812, to apprize him of the war declared before. Meantime, the French invasion of Russia had to Poland, where Mr. Barlow, American minister to Franches the French emperor at Wilner on his vast Czarnovitch, the 26th of Decen

Madison, and Lord Castlereagh was informed that measures would be taken for carrying it into effect, at Gottenburg, in Sweden. The place of meeting was, however, afterward changed to Ghent, in Belgium.

When the nomination of Messrs. Gallatin, Adams, and Bayard, as envoys to negotiate peace, came before the senate, on the 31st of May, 1813, the two latter were confirmed, but Mr. Gallatin was rejected, 18 to 17, on the ground that the offices of envoy extraordinary and secretary of the treasury are incompatible, and ought not to be united in the same person. The president informed the senate that the office of secretary of the treasury was not vacant, but in the absence of Mr. Gallatin the duties of that office were performed by William Jones, secretary of the navy. Mr. Gallatin was afterward nominated, when no longer secretary of the treasury, and confirmed. Several other nominations by the president were rejected by the senate at this session.

The principal business of Congress at this session, was to provide means for paying the interest on loans already authorized, and other matters incident to the war. The financial plan which had been proposed by Mr. Gallatin, secretary of the treasury, to raise the necessary funds, was simply to double the existing duties on imports, as had been done, and by laying the necessary internal taxes, to raise an annual revenue sufficient to pay the ordinary expenses of government, and the interest of such sums as it would become necessary to borrow; and to support the war by a series of loans. But internal taxes were very unpopular, and Congress was slow in imposing them. Mr. Madison was of opinion that the people would not take war and taxation together, and the majority of the twelfth Congress deemed it advisable to refrain from imposing direct taxes, until the presidential election had taken place. Their successors of the thirteenth Congress were therefore called upon to provide the means referred to. This was done by passing acts for the assessment and collection of direct taxes and internal duties; soon followed by acts imposing duties on refined sugars, sales at auction, retailers' licenses, stamps, carriages, licenses to distillers, and a direct tax of three millions of dollars a year.

The national finances at this period, were in a state of much embarrassment. Treasury-notes, issued according to act of Congress, were at a great discount; and although the first loan in 1812 was taken at par for six per cent. stock, the second loan authorized by government was taken on disadvantageous terms for the United States, and all paid in depreciated currency. The banks in the Union had suspended specie payments, excepting a part of those of the New England states. In the early part of 1813, the demands on the public treasury were far greater than had been anticipated, owing to the unfavorable circumstances in which the country was placed, and the improvident course of the administration in carrying on the war. When the militia, particularly of the middle states, were called out, they were not sufficiently armed, and extraordinary ex-

and the great disasters suffered by the army on th the administration was supported or certainly not opported. The power of the federal governme or violent acts. the crisis; but the people, in various parts of the n the measures of the government, and censured its wa formidable opposition appeared, must be attributed to of the citizens, and to their conviction of the necessi dience to all constitutional authority. With a popu character from that of the great majority of the p States, and with the freedom they possessed, it would to maintain a war, when so great a portion of the natio The invasion of Canada was renewed in the spring eral Dearborn, with a small army, crossed Lake Ont Harbor, and captured York (now Toronto), in Upp eral Dearborn afterward made another expedition into C body of troops, and took possession of Fort George, at Niagara river into Lake Ontario. The British retre heights, where they were followed by a detachment of under Generals Chandler and Winder. But the latter night attack on their camp, and both of the generals ca the detachment retreated toward Fort George. In the previous, General Winchester, with about 800 men, fe the British and Indians, at the Maumee rapids, in Ohio of about 300 men killed in the action, was forced to ca Proctor. The losses sustained by the United States tre

on the frontier, in 1812 and 1813, were estimant in killed, wounded, and taken not

curred on the frontiers during the year 1813; and in the southern part of the United States a war with the Creek Indians was brought to a close, in consequence of repeated defeats of the Indians, by the Americans under General Andrew Jackson. The principal naval events were as follows: The capture of the British brig Peacock by the American sloop-of-war Hornet, Captain Lawrence, on the 24th of February; the loss of the United States frigate Chesapeake, which was taken by the British frigate Shannon, on the 18th of June, when Captain Lawrence, who had been promoted to the command of the Chesapeake, was killed, with many of his officers and men; the capture, by the British brig Pelican, of the American brig Argus, Captain Allen, on the 14th of August; and in September, the capture of the British brig Boxer by the American brig Enterprise, Lieutenant Burrows, who was killed in the action.

In the meantime, the Atlantic coast of the United States was closely blockaded by British squadrons, cutting off most of the coasting trade, as well as a large share of the remnant of foreign commerce, and committing various depredations, particularly in Delaware and Chesapeake bays. But the naval efforts of Great Britain on the American seaboard, continued insignificant throughout the year 1813. At the same time, the American privateers were active and successful; nor were the British squadrons enabled to put an entire stop to American commerce. Cotton and other staples of this country were exported in profitable adventures to France. Spain, and elsewhere, and the imports into the United States were larger in amount than might have been expected. Mr. Ingersoll says, that American commercial losses by war did not excessively surpass those which before its declaration were caused to American commerce by English seizures and sequestrations, together with French unlawful depredations.

During the year 1813, the American frigates President, Captain Rodgers, the Congress, Captain Smith, the Essex, Captain Porter, and other vessels-of-war, made long and unmolested cruises, traversing the seas of various quarters of the globe, and making many captures. The Essex proceeded to the Pacific ocean, and in the course of a few months captured, manned, and armed, nine large English vessels, worth two millions of dollars. Captain Porter was for some time commodore of a fleet of his own creation. More than seven hundred British vessels were taken by the American navy and privateers, during the years 1812 and 1813.

The second session of the 13th Congress began on the 6th of December, 1813, and ended on the 18th of April, 1814. Mr. Clay, having been appointed one of the commissioners to negotiate a treaty of peace, resigned his station as speaker of the house, on the 19th of January, and Langdon Cheves, of South Carolina, was elected speaker in his place. Mr. Cheves received 94 votes, Mr. Grundy, of Tennessee, 59, and there were 12 scattering votes. It was understood that Mr. Cheves was preferred and voted

January, and Mr. Gallatin in February, 1814. Mesa and Bayard, were in St. Petersburg in October and N

The first act of a general character passed at this a was a law laying an embargo on all ships and vessels jurisdiction of the United States, to continue till the fir unless a cessation of hostilities should take place soon of this act were very restrictive and severe, the princ prevent small vessels and boats from supplying the l the coast with provisions. It was repealed, however April following, by the same Congress.

The other acts of the session, besides those authorizi related principally to the army and navy, and other matt the prosecution of the war. Soldiers enlisting for fiv the war, were to receive a bounty of one hundred dollar and twenty-four dollars more, in addition to their regu charged from the service. Volunteer corps engaging years or during the war, were to receive the same bo clothing, and forage, as the regular army. Pensions w orphans and widows of persons slain in the public or ; sels of the United States. One hundred dollars were c for each prisoner captured by American privateers and agent authorized by the United States to receive prisone hundred thousand dollars were appropriated for that pur dent was authorized to cause the marine corps to be aug ing about seven hundred additional men. An act for ca tia, provided for the establishment of courts-ma for the trial of delinquents, in the manner -

directions, sometimes entering harbors and landing bodies of men, who destroyed the property and excited the alarm of the inhabitants. They took possession of Eastport and Castine, in Maine, which was then under the jurisdiction of Massachusetts, and the want of a sufficient naval force prevented the Americans from dispossessing them.

The peace of Paris, in 1814, released the British fleets and armies which had been so long employed in the wars of Europe, and left the English at liberty to direct their strength against the United States. Some of the veteran troops which had served in the campaigns under the duke of Wellington, were sent across the Atlantic. The armies in Canada were strengthened, and preparations were made to invade the United States from that quarter.

The principal British force in Upper Canada was placed under the command of General Drummond, while the American army on the Niagara frontier was commanded by General Brown. Most of the older American generals had retired from active service, and more efficient officers were now at the head of the troops. On the 3d of July, Generals Scott and Ripley, with 3,000 men, crossed the Niagara river and took Fort Erie. opposite Buffalo. On the 5th, the Americans under those two generals met the British army under General Riall, when a severe battle took place, in which the British were defeated, with the loss of about 500 men, while the total American loss was 338. On the 25th of July the most sanguinary and obstinate battle that occurred during the war was fought at Bridgewater, or Lundy's Lane, near Niagara falls, General Brown commanding the American forces, assisted by Generals Scott and Ripley. The American troops on this occasion numbered less than 4.000, while the British were about 5,000, and their loss was 878 men. lost 858, and were left in quiet possession of the field; they then retired to Fort Erie, and, Generals Brown and Scott having been wounded, General Gaines arrived and took the command. On the 15th of August, the English, under General Drummond, made an assault upon the fort, but were repulsed with the loss of nearly a thousand men. General Brown having resumed the command, a successful sortie was made from the fort on the 17th of September, soon after which the British, having again lost about 1,000 men in the last affair, retired to Fort George, in expectation of an attack on that place, from another American army. In November Fort Erie was abandoned and destroyed, and the American troops crossing the river, went into winter quarters at Buffalo and its vicinity.

Meanwhile the English had concentrated an army of over 14,000 men, in Lower Canada, under the command of Sir George Prevost, for the purpose of invading the United States by way of Lake Champlain. The Americans had an army at Plattsburgh, on that lake, commanded by General Macomb. They had also a fleet on the lake, of four armed vessels and ten gunboats and galleys, under the command of Commodore Macdo-

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American works, and witnessing the capture of the retreated about dusk. Their loss in killed, wounders, was about 2.500 men.

On the Atlantic coast various events of interest year. Among the most important were the affairs Chesapeake bay and the Potomac river. On the 19t army of 5,000 men, under General Ross, landed on t menced a march toward Washington city. The Ar Commodore Barney was abandoned and burnt. A of Bladensburg, the British army was met by a smal marines, but the latter were soon overpowered, and prisoner. The enemy then proceeded to Washing burnt the capitol, the president's house, and other p which they retreated to their ships. There were under General Winder, and some militia regiments. Washington, but they made but a feeble resistance and soon fled. The president, and the secretaries of navy, were in the camp, and narrowly escaped c flight.

A British squadron had in the meantime ascended the 29th appeared before Alexandria, and as that city means of defence, the inhabitants were compelled to giving up to the enemy the merchandise on sale in th ping at the wharves.

General Ross, after his return to the British fleet solved to lead them to an attack upon Baltimor Delaware bay. The port of Stonington, in Connecticut, was bombarded in August, but the militia being assembled in great numbers for defence, no landing was effected in that quarter by the British troops. During the summer, that part of Maine which lies east of the Penobscot river was occupied by the enemy, and the United States frigate Adams and many merchant vessels lying in the Penobscot river, and others, were destroyed or fell into their hands.

The blockade of the harbors kept a considerable part of the American navy from opportunities of adventuring at sea, but several of the national ships-of-war, and numerous privateers, were still able to elude the vigilance of the enemy and to keep the seas. The actions fought by vessels of the navy and by privateers, were highly creditable to American valor and nautical skill, although sometimes overpowered by superior force. On the 28th of March the frigate Essex was taken in the harbor of Valparaiso, on the Pacific ocean, after a desperate action, by two British vessels, the frigate Phæbe and the Cherub sloop-of-war. The other actions of note this year by the navy, were the capture of the British sloop-of-war Epervier, in the gulf of Mexico, by the new United States sloop-of-war Peacock, and the sloop-of-war Wasp, Captain Blakeley, captured in succession, in the English channel, the Reindeer and Avon, two vessels of similar force with herself. She also made prizes of numerous British merchant vessels.

The United States frigate President, Commodore Decatur, on sailing from the port of New York, in January, 1815, was captured by a British fleet; but the two last naval actions of the war were favorable to the Americans. In February, 1815, the frigate Constitution captured at the same time two vessels-of-war, the Cyane and Levant, off the island of Madeira, and in March the United States sloop-of-war Hornet captured the brig Penguin, off the coast of Brazil.

The last important action of the war was the battle of New Orleans, on the 8th of January, 1815, when General Jackson, with 6,000 men, defeated a British army of 12,000 men under General Packenham. The loss of the British on that occasion was 700 killed and 1,000 wounded; among the former was the commander-in-chief; and the next in command, Generals Gibbs and Keene, were severely wounded. The loss of the Americans was only seven killed and six wounded. The British army, withdrew after the action, and retreated to their shipping.

The celebrated Hartford convention was held at the close of the year 1814. The cause and circumstances of that affair were in substance as follows, as stated by the secretary of the convention:—

The situation of the New England states during the year 1814, was the highest degree critical and dangerous. The services of the mill for two years, had been extremely severe; they were constantly talk from their farms and their ordinary occupations, and in addition to all the services of the mill from their farms and their ordinary occupations, and in addition to all the services of the mill from their farms and their ordinary occupations, and in addition to all the services of the mill form the services of the

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ness. It nad become apparent, that if the New Eng cued from the effects of these calamities at all, it mu human means were concerned, upon their own exerti

In Massachusetts the danger to which the inhabita were exposed, had spread an alarm through the coin the year 1814, memorials from a great number of rior as well as near the coast, were forwarded to the that body to exert their authority to protect the citize tional rights and privileges, and suggesting the expedelegates "to meet delegates from such other states to appoint them, for the purpose of devising proper the united efforts of the commercial states, to obtain and explanations of the constitution as will secure the

These memorials were referred to a joint committe house of representatives in Massachusetts, who, althousentiments of the memorials, reported against the exposed convention at that time. The legislature adopte ruary, 1814, but in October following, resolutions in tion were adopted, by large majorities, and twelve pointed, by a vote of 226 to 67, in a convention of legislature.

A circular was addressed to the executive magistates, to be laid before their respective legislatures, i point delegates to the proposed convention, if they shent, and stating the objects of the conference to be to dangers to which the eastern section was exposed howar, and to deep

vention assembled at the time appointed, and consisted of twenty-six delegates, of whom three were appointed by local conventions in New Hampshire and Vermont. The proceedings took place with closed doors, but the journal was afterward made public. The convention embodied their views in a report, which was immediately published and extensively circulated. It was a statement of grievances, many of which were real, but which necessarily arose out of a state of war, a recommendation of several amendments to the constitution, and, if circumstances required, a suggestion of another convention, to be held at Boston in June, 1815. As the news of peace arrived soon after the convention adjourned, the causes of disquiet were removed; but as the delegates were all of the federal party, the convention, before and after their meeting, was denounced in the severest terms, by the friends of the administration, as being treasonable to the general government, and the name of the "Hartford convention" became with the democratic party a term of reproach.

Congress had been adjourned to meet on the last Monday of October, but was convened on the 19th of September, 1814, by a special call of the president, and continued in session until the expiration of their term, on the 3d of March, 1815. The great changes in Europe, and the aspect of affairs in the United States, rendered an early meeting of Congress very important. At an early day in the session the president laid before Congress the instructions which had been given the American commissioners appointed to negotiate a treaty of peace, and the correspondence which had taken place on the subject. The commissioners had assembled at Ghent in the month of August, 1814; those appointed by the government of Great Britain, were Lord Gambier, Mr. H. Goulburn, and Mr. Wm. Adams.

By the documents submitted to Congress, it appeared that new terms were proposed, and authority given the American envoys to make peace, without insisting on all the claims and principles before advanced. The spirit and tone of the president's message at this time, were very different from his former communications to Congress. A desire for peace was strongly expressed, and a disposition fully manifested to represent the views of the British cabinet as less hostile than had been formerly stated. He remarked, that "the repeal of the orders in council, and the general pacification in Europe, which withdrew the occasion on which impressments on American vessels were practised, lead to an expectation that peace and amity may be established."

In one of the earliest communications from the commissioners of the United States to those of Great Britain, when the negotiations opened at Ghent, and which was dated the 24th of August, 1814, it is said: "The causes of the war between the United States and Great Britain having disappeared, by the maritime pacification of Europe, the government of the United States does not desire to continue it in defence of abstract priciples, which have, for the present, ceased to have any practical effective.

The British commissioners at Ghent, finding the Ar anxious for peace, were at first extravagant in their der stated as the basis of negotiation. The despatches 1 envoys which were published in October, 1814, gave peace, and the demands of the British government, their agents at Ghent, excited a feeling of general indi the Union. Not an individual in the United States, he might originally have been opposed to the declarat the policy and measures of the administration, could fai extravagant demands as the basis of a treaty of peace. had passed, there was a general determination to resist at every hazard. The demands of the British were should be included in the pacification, and a territory se to remain as a permanent barrier between our western s adjacent British provinces; and that the United States keep no armed naval force on the western lakes, nor ere military post or establishment on the shores of those lal those which already existed.

The negotiations between the British and American clated almost exclusively to subjects which had no connex ses of the war. The declaration of war was founded council and impressment. The former were repealed withe date of the declaration of war, leaving nothing to impressment; and the secretary of state, in a letter to the dated August 11, 1814, said: "It is presumed that eit suggested in my letter of the

peace, to increase the taxes in various ways. A new direct tax of six millions was laid; the rate of postage on letters by mail was increased fifty per cent.; duties on sales at auction, on licenses to retail liquors, on distilled spirits, on pleasure carriages, on household furniture, and on watches, were increased; and new duties laid on wares and merchandise manufactured in the United States. These measures were opposed with great earnestness in Congress, especially the bill for six millions of direct taxes. Complaints on this subject were everywhere heard among the people, and increased the general anxiety for peace. A bill was before Congress for several weeks, in November and December, for authorizing the president, on the refusal of the governor of any state to call out the militia when requested, to order subordinate militia officers immediately to march their men as might be directed by the officers of the regular army. It was approved by a majority in the house, but was lost in the senate, after a long debate, by a single vote. The objection to the bill was, that it was in violation of the rights of the militia, and wholly unauthorized by the constitution. One section of the bill also provided for draughting the militia, when they did not voluntarily enlist. The most powerful argument against it, was its direct interference with the privileges of the citizens enrolled in the militia, who were recognised to be so, even by the federal constitution.\*

Mr. Monroe, then acting secretary of war, made a report, on the 17th of October, on the subject of filling the ranks of the army, in which he expressed the opinion that it would be necessary to bring into the field, at the next campaign, not less than 100,000 regular troops; to provide for which he proposed that the free male population of the United States be formed into classes of one hundred men each, and each class to furnish a certain number of men for the war, and replace them in the event of casualty, or if any class proved delinquent, the men to be raised by draught on the whole class. The bounty in money allowed to each recruit to be paid to each draught by all the inhabitants within the precinct of the class within which the draught may be made, equally according to property possessed.

This plan was considered a conscription, intended to be equally efficacious with the conscription established in France by Bonaparte. It was opposed as unconstitutional, oppressive, and absurd, and when modified and introduced in the senate, by Mr. Giles, in the form of a bill for raising eighty thousand men, after a long debate, and great efforts by the friends of the administration, the measure could not be carried to the congress, and of course failed.

The secretary of the navy also made a report at the same ommending a register and classification of the seamen of States, for the purpose of calling them into the public service in

Bradford.

.... ..., yours, and repeated so much of forn the consent in writing of the parent, master, or guardi enlistment of persons under twenty-one years of age. cited great alarm and much feeling in many parts of the considered as aiming a direct blow at the legislative several states, as, by the laws of the states, parents hav to the services of their children while they are minors tion contains no authority for Congress to interfere in th of individuals under the jurisdiction of the several sta ture of Connecticut being in session when these plans enlisting minors were proposed, passed resolutions, ne expressive of their determination to resist them, if add in the form of a law. Fortunately these measures, wh by the friends of the administration on the ground that th required their adoption, were rendered unnecessary by t cumstances produced by the return of peace.

Several changes in the cabinet and other principal ernment, took place in 1814 and 1815. The office of treasury being declared vacant by the senate, in consessence of Mr. Gallatin, as one of the commissioners to of peace, George W. Campbell, of Tennessee, was ap of that department, on the 9th of February, 1814. Ill Mr. Campbell to resign in September, and Alexander 1 pointed secretary of the treasury, October 6, 1814. Gresigned as secretary of war, in September, 1814, and M tary of state, acted as secretary of war until February 2 was recommission

been annaimed

lay, confirmed by the senate on the 18th of January, 1814; at the same time he was confirmed as one of the commissioners to negotiate a treaty of peace with Great Britain. Some of these changes, and those formerly noticed, during the administration of Mr. Madison, occurred in consequence of dissensions and dissatisfaction among the leaders of the democratic party, in Congress and in the cabinet. Mr. Ingersoll says: "Madison was thwarted by a jealous senate. In May, 1813, when he nominated Jonathan Russell as minister to Sweden, the appointment was negatived by the senate on frivolous pretences largely set forth in publications on the subject by William B. Giles, one of the Virginia senators. In November of that year, Mr. De Kantzow arrived at Washington, and then at last Mr. Russell was suffered to pass the senate. The postmaster-general. Granger, was so inimical to Madison, that he found it necessary, in 1814, to remove him from office. The war of 1812, especially as respected the appointing power of the executive, both at home and for foreign service, was much embarrassed and annoyed by members of the war party, whose constituent states supported Madison's administration."

While Congress was passing acts for the vigorous prosecution of the war, the unexpected and welcome intelligence of peace was received at Washington, early in February, 1815. A treaty of peace between the United States and Great Britain was concluded by the commissioners, at Ghent, on the 24th of December, 1814, and, as soon as communicated by the president, was ratified by the senate. It was the occasion of sincere and universal rejoicing, with the exception, perhaps, of contractors, officeholders, and others, who were making great gains by the war, and of course were interested in its continuance. To the administration it was an inexpressible relief; for difficulties and embarrassments had been long gathering and thickening around it. And the people were happy to learn the restoration of peace, the revival of commercial enterprise, and the prospect of a diminution of taxes in future. On the subject of impressment the treaty was silent, and commercial regulations between England and America were referred to negotiations proposed to be resumed at an early day.

A convention was held in London, as proposed at Ghent, early in 1815, to form a commercial treaty. The American commissioners were Messrs. Adams, Gallatin, and Clay; and a treaty was prepared by them and three commissioners on the part of Great Britain, in July, which was soon after ratified by both the contracting parties, to continue for four years. This convention was strictly and almost exclusively of a commercial character; the subject of impressments and of blockades not being noticed with the proported to place the commercial intercourse between the tries on a perfect reciprocity. In the opinion of most compute the terms of this convention were not more favorable to the

And resultaive measures of Mr. Jef tion, the reduction of the army and navy, as recomm ident, and the submission of the United States to wrongs and insults of France and Great Britain, had Europe a contempt for the American character. There impression among civilized nations, that the spirit of lib ence which had carried America triumphantly through olution, was extinguished by a love of gain and com without courage and resolution sufficient to sustain t But the war with England dissipated this impression, as for a nation that gave so many proofs of ability to cope of the seas on her favorite element. The national cl rose to an eminence in the estimation of foreigners whi been maintained. From the era of the war we may i the more rapid growth, of the principal branches of dome Another advantage which accrued from the war, was the the spirit of internal improvement, which was forcibly in minds of the people from witnessing the disadvantages modes of transportation in existence during that period of canals, railroads, and other improvements, was in ope icy of a standing army and of a navy, adequate to the has likewise been cherished by the people since the in was proved during the war.

In consequence of the deranged state of the currencredit, the secretary of the treasury, in October, 1814, Congress the establishment of a national bank. A bill accordingly introduced, and passed

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received, being less than three weeks, was occupied by Congress in adapting the affairs of the government and country to a condition of peace. The army was reduced to a peace establishment of ten thousand men, and various acts concerning the acceptance of the services of volunteers and state troops, the flotilla service, and non-intercourse, were repealed. The naval establishment, however, was kept up, and an act passed for the protection of American commerce against Algerine cruisers, by authorizing the president to send a squadron to the Mediterranean. Direct taxes were continued, and one hundred thousand dollars was appropriated for the Cumberland road. A resolution was passed requesting the president to recommend a day of thanksgiving for the blessing of peace.

The total expenditures by the United States government during the war. may be stated, in round numbers, at one hundred millions of dollars; and the loss of lives by battles and other casualties incident to the war, has been estimated at thirty thousand persons. The cost of the war and loss of life by the British nation, were much greater. But the greatest disparity in the contest between the two nations was shown in its effects on the ocean. During the short period of less than three years which the war lasted, the Americans captured, on the ocean and lakes, 56 British vessels-of-war, mounting 886 cannon; and 2,360 merchant-vessels, mounting 8,000 guns; of which 345 were ships, 610 brigs, 520 schooners, 135 sloops, and 750 vessels of various classes taken by the Americans and recaptured by the enemy; making altogether 2,416 vessels, with their cargoes, specie, stores, provisions, and equipments, and about thirty thousand prisoners-of-war. Most of these prizes were taken by American privateers, and many of the vessels which could not be brought into port were either burnt or sunk. The number of merchant-vessels which arrived in port or were destroyed, was 1610. Besides this destruction and capture of British property, there were lost by wreck or otherwise, on the American coast, during the war, twenty-nine British ships-of-war, mounting about 800 guns. 'The American naval losses by British capture were three frigates, viz., the Chesapeake, Essex, and President, two sloops-of-war, six brigs, and fourteen smaller vessels and gunboats, amounting in all to no more than twenty-five vessels-of-war, carrying a total of 350 guns; while the number of American privateers and merchant-vessels captured by the English, although large, was much less than the British loss of similar vessels already stated. The statement of British captures of American vessels, reported by the admiralty office to the house of commons, on the 1st of February, 1815, gives a total of 1,407 merchant-vessels taken or destroyed, exclusive of captures by British privateers, and 20,961 Ame seamen prisoners-of-war.\* The Americans lost during the war, in tion to the above vessels belonging to the navy, the frigate Adams, nobscot river, and a new frigate and brig at Washington city, which

\* Niles's Register, vol. ix., p. 325.

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to 1812. On the 17th of June the new frigate Guer Commodore Decatur, fell in with and captured the Alada, of 46 guns, after a running fight of twenty min among whom was the admiral of the fleet, and taking oners. A piratical brig of 22 guns, with 180 men, who was the United States squadron. The appeared before Algiers, when the Algerine vessels and Commodore Decatur dictated such terms as he who, on the 30th of June, concluded a treaty with The terms were of course honorable to the American in future to be paid by the United States; all America be released without ransom, and compensation was mand property as had been taken.

The fourteenth Congress held their first session at the 4th of December, 1815, to the 30th of April, 1816. ties was similar to that of the thirteenth Congress, the ity in the house being slightly increased, and amounting the federalists. Most of the members had been elect and the old party distinctions were not long kept up afte Clay, having returned from negotiating the treaty of pe again returned to the house of representatives by his for Kentucky, and for the second time he was elected ceived 87 votes, against 32 for other candidates, of we given for federalists, although 65 of that party had be house. This showed that the return of peace had rement to an organized opposition t

again elected provident - C.

spirits, were also abolished or reduced. The direct tax was fixed at three millions, instead of six millions required by a former law. A new tariff of duties on importations was laid, in which the intention was expressed by Mr. Calhoun, Mr. Clay, Mr. Lowndes, and others, to establish a system of protection for American manufactures. The rates fixed were, however, insufficient for that object with regard to many manufactures which had been built up during the war, and were soon prostrated in consequence of the excessive importations of foreign manufactures which took place after the return of peace.

Acts were also passed at this session for the gradual increase of the navy; for regulating the rates of foreign coins, and the currency of the United States; for building lighthouses; authorizing the surveying and making a road in Illinois territory; increasing the pay of customhouse officers fifty per cent.; and fixing the pay of members of Congress at fifteen hundred dollars per annum, in lieu of the allowance per diem, as formerly established; but this last law proved to be very unpopular, and was repealed at the next session.

A national bank was incorporated by Congress in April, 1816, with a capital of thirty-five millions of dollars, to continue for twenty years. Although the president had returned with his veto a bill incorporating a bank, passed by the thirteenth Congress, from objections to some of the clauses, he was anxious for the establishment of such an institution; both he and Mr. Clay, the speaker, with others, having changed their views from the experience of the government, during the recent war, which had evinced the want of a national currency. The bill now passed encountered a strong opposition, but received the support of a majority of the democratic party in both houses of Congress, with a portion of the federalists, and it was promptly signed by the president.

The annual sum of two hundred thousand dollars was appropriated for providing arms and military equipments for the militia; acts for the relief of purchasers and settlers on the public lands were also passed, and those of the latter who had not paid for the lands were enabled to obtain titles on payment of a small sum, and causing the same to be registered in the public land office. A system of drawbacks on sugar refined, and spirits distilled from molasses, was adopted; and an important resolution was passed directing the secretary of the treasury to take measures to cause the revenue to be collected and paid in the legal currency of the United States, or treasury-notes, or notes of the new national bank, or in notes of specie-paying banks. The people of Indiana territory were authorized to form a constitution and state government, preparatory to being admitted into the Union. An act passed on the 1st of March, 1816, to give effect to the convention for regulating commerce with England, and repealed all former acts discriminating in favor of goods imported in American vessels over British vessels. An attempt was made in the house to alter the term

territory, but on the united remonstrance of Spain a ican troops were withdrawn. The government of the gave up its claim, and had again occupied a portion armed force. The Spanish minister insisted that the no longer held until negotiations could be had, that no intercourse should be allowed between the Mexico, which province was then in a state of revolutions, which province was then in a state of revolutions, which province was then in a state of revolutions, which province was then in a state of revolutions, and the state of the spanish minister, pugn the claim of Spain to West Florida, but represent the state of the s

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now separated from the Mexican territory, it was of the Spanish nation, and an exchange of Florida for a dering on Texas was suggested. The minister was it ted States would preserve a strict neutrality between volted colonies. The question of the boundary of discussed, but no definite result was arrived at by this a settlement with Spain was reserved for the next additional strengths of the settlement with Spain was reserved for the next additional settlement with Spain was reserved.

The democratic members of the fourteenth Cong journment of the first session, held a caucus for the redidate for president, as successor to Mr. Madison, als An attempt was made in the caucus to declare such bers of Congress inexpedient, but it was unsuccessful. that Mr. Madison and his confidential friends prefer any other candidate to succeed him. Several plans an on foot to defeat this nomination, particularly by the were opposed to Virginia influence, which state had dents to the Union for twenty

he adds, "is inevitable." Governor Alston fully coincided with Colonel Burr in sentiment, but ill health, and grief from family afflictions, prevented his attention to the suggestion.

Governor Tompkins, of New York, had rendered important services and support to the administration and the country during the war. When Mr. Monroe was called to act as secretary of war, in place of General Armstrong, Mr. Madison proposed to Governor Tompkins that Monroe should vacate the office of secretary of state, and that he (Tompkins) should be placed at the head of that department. Although Governor Tompkins felt it his duty to decline the office, alleging as a reason, that he could render more service to the nation as governor of New York, than as a member of the cabinet, he considered that, according to the precedent which had been established, this offer was a commitment on the part of the administration to support him for the next president. The democratic members of the legislature of New York, in February, 1816, instructed their members in Congress to sustain the claims of Tompkins, but it was soon ascertained by those members of Congress that his nomination could not be effected.

The opposition to Mr. Monroe's nomination was finally concentrated on William H. Crawford, of Georgia. He was a native of Virginia, but in early life had emigrated to Georgia, which state he ably represented in the senate, from 1807 to 1813. Although attached to the democratic party, he advocated the recharter of the first bank of the United States, in 1810, and afterward became dissatisfied with what he deemed the indecisive course of Mr. Madison with regard to the difficulties with Great Britain. He veted for the declaration of war, and during the war he was appointed minister to France; on his return thence, he took charge of the war department, as secretary. His friends claimed for him the character of a man of superior intellect and talents, strictly honorable in his political course, and possessing much independence and decision as a statesman.

Every effort having been made by the friends of the two candidates to secure the nomination, the congressional caucus was held on the 16th of March, 1816, and on the ballot for a candidate for president, James Monroe received 65 votes, and William H. Crawford 54; consequently James Monroe was nominated for president. Daniel D. Tompkins received the nomination for vice-president, by 85 votes, against 30 for Simon Snyder, governor of Pennsylvania.

When the election came on, toward the close of the year 1816, Monroe and Tompkins received 183 electoral votes for president and vice-president, and 34 electoral votes were given by the federal party to Rufus King for president, and to several persons for vice-president.

The views of Mr. Madison on subjects of national policy, as developing in his last annual message to Congress, which met on the 2d of December, 1816, and continued until the close of his administration, were exidered liberal and important to the interests of the court

izing the secretary of the navy, under the direct cause a survey of those public lands which produ dar timber, to be reserved and appropriated for the navigation laws were revised, so as to give furth of the United States, and no goods or merchandise ported from foreign ports except in American botto vessels as belonged to the country of which the go manufacture. Acts were also passed for the regula United States, by which each of them was allow to Congress, who should have a right to take part of representatives, but not of voting; for establishi by the name of Alabama; to preserve more effectua of the United States; to fix the peace establishme at eight hundred men, including officers; providing lands reserved for the Creek Indians; for the pun offences committed within the Indian boundaries; persons imprisoned for debts due to the United Stat ana having formed a constitution, in conformity to ac joint resolution admitted into the Union on the 11tl The people of the western part of Mississippi terr to form a constitution, preparatory to admission into

A bill appropriating the bonus which the United S
the government for their charter, to purposes of inter
passed by both houses, at this session, after an able
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## BIOGRAPHICAL SKETCH

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## JAMES MONROE.

The family of Monroe is one of the most ancient and honorable among the early settlers of Virginia. It is remarkable that the tide water section of that state has produced four of the first five presidents of the United States; Washington, Jefferson, Madison, and Monroe, having been born in that part of Virginia, and within a few miles of each other. The same section of country, it may be added, was honored also as the birthplace of the biographer of Washington, who for many years was the ornament of the supreme court of the United States—Chief-Justice Marshall.

The fifth president of the United States, James Monroe, was born on the 2d of April, 1759, in the county of Westmoreland, Virginia. His parents were Spence Monroe and Elizabeth Jones, both members of old and highly respectable families in the ancient dominion. His early youth was passed in the midst of that exciting contest which led to the American revolution; the stamp act being passed in the sixth year of his age. He was thus educated in the detestation of tyranny, and prompted by a patriotism which went beyond his years, he left the college of William and Mary, where he was pursuing collegiate studies, to join the standard of his country, in the 18th year of his age. The declaration of independence had just been issued, and at that disastrous moment when Washington was preparing to defend New York, against the increasing armies of England; when the timid and wavering were sinking from the side of their country's chief, James Monroe arrived at headquarters, with a firm determination to share her fate, whether for good or for evil.\*

During the gloomy year of 1776, he shared with the army their defeats and their privations; was present at the disastrous battles of Harlem

<sup>\*</sup> For a part of this sketch we are indebted to the American Annual Register, vol. vi., published in 1832.

ton, and the authority of the legislature. In this exhausted state of the country. He therefore devot of the law, under the direction of Mr. Jefferson, wo for the state. He occasionally acted as a voluntee sions with which Virginia was afterward visited; Charleston, in 1780, he repaired to the southern armissioner, to collect information as to its ability to the Union from the enemy. This duty was perform of the governor, by whom he was appointed.

He now commenced his career in the legislative try, being elected in 1782, by the county of King the legislature of Virginia, and by that body shortly ber of the executive council. He was then only in h but appears to have evinced sufficient tact in legi legislature to elect him the following year one of the the state in the continental Congress. He took his se 13th of December, just in time to be present at Anna; ton surrendered his commission into the hands of the he had been appointed. From that time until 1786. ued to represent his native state in Congress, and I vinced of the inefficiency of that body to govern the ticles of confederation. He accordingly sought an e ers, and in 1785 moved to invest Congress with the trade. This resolution, together with another in favor the power of levying an impost duty of five committee, of which Mr. Monroe was chairman

On the 24th of December, 1784, Mr. Monroe was appointed, with eight other highly distinguished men of that period, members of a federal court, to decide the long pending controversy between Massachusetts and New York. He accepted of the appointment, but on the 15th of May, 1786, he resigned his commission, and the two states having, during the same year, adjusted the matter by mutual agreement, the court never met.

Mr. Monroe differed from both New York and Massachusetts on the question of relinquishing our right to navigate the Mississippi river, as demanded by Spain and assented to by the northern states. The southern states opposed the relinquishment of this right, and Mr. Monroe took a leading part against any concession to Spain.

While attending the continental Congress, as a member, at New York, Mr. Monroe married Miss Kortright, daughter of Mr. L. Kortright, of that city. This lady had been celebrated in the fashionable circles of London and Paris for her beauty and accomplishments, and in married life she was exemplary, as well as an ornament to the society in which she was called to act during the scenes of her husband's subsequent career.

Toward the conclusion of the year 1786, Mr. Monroe's term of service in Congress expired, and, by the rule then adopted, being ineligible for a second term, he established himself at Fredericksburg, with the view of practising law. He was soon, however, again called from the pursuits of private life, by being elected a member of the legislature, and the following year, 1788, he was chosen a delegate to the state convention, assembled to decide upon the adoption of the federal constitution.

Notwithstanding Mr. Monroe was convinced of the inefficiency of the articles of confederation, and of the necessity of a radical change in the government of the Union, he was not altogether prepared to adopt the federal constitution, as framed by the convention of 1787. He thought that certain amendments ought to be made previous to its adoption, and decidedly advocated that course in the convention. We have already stated, in the memoir of Mr. Madison, that the leading men of Virginia in the state convention, were much divided on the question of the adoption of the constitution. Among those who opposed it in that body, besides Mr. Monroe, were Patrick Henry, George Mason, and William Grayson, while its most powerful advocates were James Madison, John Marshall, Edmund Randolph, and Edmund Pendleton. The convention finally adopted the constitution as it was, by a vote of 89 to 79, Mr. Monroe being among the negatives; certain amendments were at the same time recommended for the adoption of the states, instead of being insisted on previous to the acceptance of the constitution.

The course which Mr. Monroe pursued on this occasion was acceptable to the state of Virginia, as was proved by the election of a majority of anti-federalists to Congress, including the two senators; and on the death of Mr. Grayson, one of the latter, Mr. Monroe was chosen to the Vol. I.—25

public was not conformable to the views of neutral eral Washington, who therefore recalled him in 1 Cotesworth Pinckney in his place.

On his return to the United States, Mr. Monroe explanation of his views and proceedings relative to vindicating his own course, and censuring the polic toward the French republic.

He, however, did not cherish any animosity tow ton, but at a subsequent period he joined with h knowledging the merits and perfect integrity of also did ample justice to the character of John Jay celebrated treaty with Great Britain about the same visited France. Although opposed to the treaty making political views generally, Mr. Monroe left on rec writing, an unqualified testimonial to the pure patrio ability, and the spotless integrity of John Jay.

Shortly after his return from France, Mr. Monro legislature, and in 1799 he was elected by that body where he served for the term of three years, then lim tion of the state.

In 1803, President Jefferson appointed Mr. Monroe to France, to act jointly with Mr. Livingston, then Paris, to negotiate the purchase of New Orleans, or the United States on the Mississippi. He was also Charles Pinckney, then resident minister at Madrid also with Spain relative to Louisiana.

proceeded to London, where he was also commissioned to act as successor to Mr. Rufus King, who had resigned.

Here he sought to obtain a conventional arrangement for the protection of American seamen against impressment, and for the protection of neutral rights; but in the midst of these discussions he was called away to the discharge of his mission to Spain.

In the transfer of Louisiana to France by Spain, and to the United States by France, the boundaries of the province were not defined. Spain was encouraged to dispute the extent of the province, and she sought to reduce it to a territory of small dimensions. A controversy arose between the United States and Spain, at one time threatening war, and for the purpose of attempting an adjustment of these difficulties Mr. Monroe proceeded to Madrid. His efforts, joined with those of Mr. Pinckney, were unsuccessful, and the controversy was left unsettled.

Mr. Monroe was then recalled to London to maintain our rights as neutrals, against the systematic encroachment of Great Britain. He was there joined by Mr. William Pinkney, who had then been recently sent from the United States, as minister to England. A whig ministry being then in power in Great Britain, with the friendly feelings of that party toward the United States, Messrs. Monroe and Pinkney were enabled to negotiate a treaty, in 1807, which, although not as favorable as they would have wished, was considered by those envoys as advantageous to the United States. As the treaty was clogged with certain conditions which were deemed by President Jefferson inadmissible, it was not submitted by him to the senate, but sent back to England for revisal. The British cabinet, however, had been changed, and Mr. Canning, the secretary for foreign affairs, refused to resume the negotiation. The mission of Messrs. Monroe and Pinkney was now at an end. Mr. Monroe, after a short detention, in consequence of the difficulty which grew out of the affair of the Chesapeake frigate, returned to the United States in 1807.

For a considerable time Mr. Monroe felt dissatisfied with his friend, President Jefferson, in consequence of his rejection of the treaty with Great Britain without consulting the senate, and also from an impression that the president's influence was exerted in favor of Mr. Madison as his successor to the presidency. Mr. Jefferson, in his correspondence with Mr. Monroe, explained his course with fegard to the rejection of the treaty, and declared his intention to remain perfectly neutral between his two friends who were named to succeed him. The Virginia legislature settled their respective claims to the presidency, by deciding in favor of Mr. Madison, in which decision Mr. Monroe and his friends acquiesced.

In 1811 he was again elected governor of Virginia, but continued but a short time in that station, for upon the resignation of Robert Smith was appointed by Mr. Madison secretary of state. This office he comused to hold during the remainder of Mr. Madison's administration.

army already authorized by acts of Congress, if the numbered 60,000 men, which Mr. Monroe proposed dition of 40,000, and to levy new recruits by draug mass of able-bodied men in the United States. The was considered an imitation of the French mode of a tised by Napoleon, and would inevitably have lost people, he felt it to be his duty to make, and had introntinuance of the war, to withdraw his name from vass. To two or three friends he disclosed his feel in confidence, and had authorized them to publish I ning a nomination as successor to Mr. Madison, where the people is the increase of the army unnecessary of the objections to his being a candidate for premoved the objections to his being a candidate for premov

Toward the end of the year 1814, Mr. Monroe's a of war, was most urgently called to the defence of I which a powerful fleet and army had been despat funds for the defence of this important point, Mr. Moto pledge his private credit, as subsidiary to that of the then was at a low ebb. By this act of devotion he we the necessary supplies; New Orleans was successful entire defeat of the British army under General Pathe war in a manner honorable to the American arms

A new series of duties now awaited Mr. Monroe. of peace he resumed his station in the department of stried friend and confidential adviser of Mr. Madison. arduous task of deciding upon those measures tablishing the system of internal policy, adopted after the close of the war, and continued it with new and enlarged features after his election as president of the United States, in 1817.

In 1816, Mr. Monroe received the nomination of the democratic party, through their representatives in Congress, for president of the United States. With that party he had uniformly acted, under the various names of anti-federal, democratic, and republican, and by them was he elected, in 1816, chief magistrate of the nation, to succeed Mr. Madison, on the 4th of March, 1817. Previous to entering on the duties of his high office, he was advised by General Jackson, with whom he was on the most friendly terms, to disregard former party divisions in the formation of his cabinet, and to use his influence and power to destroy party spirit, by appointing the best men to office, without regard to their political preferences. This course Mr. Monroe declined to pursue, confining his appointments generally, as did his predecessors Jefferson and Madison, to those who professed his own political faith, and excluding federalists from office, with but few exceptions.

In other respects the policy of Mr. Monroe was liberal and satisfactory to men of all parties, excepting, perhaps, the ardent supporters of a system of internal improvements, who regretted the adherence of the president to a strict construction of the constitution on that subject. On many points the policy of Mr. Monroe's administration resembled that of the federal school established in the early stages of the government under the auspices of Washington and Hamilton. The perfecting of the establishment of a national bank, of the plan for the gradual discharge of the public debt, of the system of fortifying the coast and increasing the navy, and of encouraging by adequate protection the manufactures and arts of the country, formed essential parts of the policy referred to, adopted at the close of Mr. Madison's administration, and continued by that of Mr. Monroe. To these measures Mr. Monroe, finally, after long deliberation, and with the entire concurrence of his whole cabinet, sanctioned by repeated demonstrations of Congress, determined to add a system of internal improvement, thus yielding his own scruples to advance the interests of the nation. This was done on the 30th of April, 1824, when the act appropriating \$30,000 for the survey of such routes for canals and public roads as the president might direct, received his sanction.

Among the measures which distinguished the administration of Mr. Monroe, was the negotiation of the treaty which added Florida to the Uniten States. This cession secured to the nation all the territory north of Mexico; and it was negotiated with great propriety by one who had borne so conspicuous a part in the acquisition of Louisiana.

In 1817 the president made a tour through a large portion of the northern and middle states, which elicited a general expression of kindness, respect, and courtesy from the people.

elected a member of the convention called to rev that state, he was unanimously chosen to preside Before the close of its labors, however, he was co disposition to retire, and in the succeeding summer to take up his abode with his son-in-law, Mr. St. There he remained, surrounded by filial solicitude at the fifty-fifth anniversary of the nation's birth (July ted his earthly career, in the 72d year of his age; fixing coincidence, which, as in the instance of the s. Adams and Jefferson, on the same day, five years pr sion for grave reflection, and seemed pregnant w moral lesson to a nation whose attention was thus for act which, while it gave it birth as an independent c to mark the commencement of a new era in the hist

Mr. Monroe left only two children, both daughte George Hay, Esq., of Richmond, the other the wife erneur, Esq., of New York. Mrs. Monroe died but a venerable husband.

Though in the course of his life he had received a ury, for his services, \$358,000, he retired from office was, however, relieved at last by the adjustment claims, founded chiefly on the disbursements made d

In his personal appearance Mr. Monroe was tall as about six feet in stature, with light complexion, a countenance had no indications of superior intellect firmness of purpose which commanded respect as friendship.

#### MONROE'S

# ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

### MARCH 5, 1817.

I should be destitute of feeling if I was not deeply affected by the strong proof which my fellow-citizens have given me of their confidence, in calling me to the high office whose functions I am about to assume. As the expression of their good opinion of my conduct in the public service, I derive from it a gratification which those who are conscious of having done all that they could to merit it can alone feel. My sensibility is increased by a just estimate of the importance of the trust, and of the nature and extent of its duties, with the proper discharge of which the highest interests of a great and free people are intimately connected. Conscious of my own deficiency, I can not enter on these duties without great anxiety for the result. From a just responsibility I will never shrink; calculating with confidence, that in my best efforts to promote the public welfare, my motives will always be duly appreciated, and my conduct be viewed with that candor and indulgence which I have experienced in other stations.

In commencing the duties of the chief executive office, it has been the practice of the distinguished men who have gone before me to explain the principles which would govern them in their respective administrations. In following their venerated example, my attention is naturally drawn to the great causes which have contributed in a principal degree to produce the present happy condition of the United States. They will best explain the nature of our duties, and shed much light on the policy which ought to be pursued in future.

From the commencement of our revolution to the present day, almost forty years have elapsed, and from the establishment of this constitution twenty-eight. Through this whole term, the government has been what may emphatically be called, self-government; and what has been the effect? To whatever object we turn our attention, whether it relates to our foreign or domestic concerns, we find abundant cause to felicitate ourselves in the excellence of our institutions. During a period fraught with difficulties, and marked by very extraordinary events, the United States have flourished beyond example. Their citizens individually have been happy, and the nation prosperous.

Under this constitution, our commerce has been wisely regular foreign nations and between the states; new states have been

erty? Who restrained from offering his vows, in fers, to the Divine Author of his being? It is w blessings have been enjoyed in their fullest exten liar satisfaction, that there has been no example being inflicted on any one for the crime of high to

Some who might admit the competency of our neficent duties, might doubt it in trials which put to efficiency as a member of the great community experience has afforded us the most satisfactory pass this constitution was put into action, several of Europe had become much agitated, and some of the Destructive wars ensued, which have of late only be course of these conflicts, the United States received eral of the parties. It was their interest to stand to demand justice from the party committing the independent of the party committing the interest party of the present of the people, and of the heroic expensive, and the militia, I need not speak.

Such, then, is the happy government under which ment adequate to every purpose for which the social a government elective in all its branches, under which which contains within it no cause of discord; none portion of the community with another; a government of the community with another; a government of the rights, and nation against injustice from foreign powers.

Other considerations of the highest importance a our Union, and to cling to the government which as we are in our linstitutions, we have a circumstances on

less fostered by it. Our fellow-citizens of the north engaged in navigation, find great encouragement in being made the favored carriers of the vast productions of the other portions of the United States, while the inhabitants of these are amply recompensed, in their turn, by the nursery for seamen and naval force thus formed and reared up for the support of our common rights. Our manufactures find a generous encouragement by the policy which patronises domestic industry; and the surplus of our produce, a steady and profitable market by local wants in less favored parts at home.

Such, then, being the highly-favored condition of our country, it is the interest of every citizen to maintain it. What are the dangers which menace us? If any exist, they ought to be ascertained and guarded against.

In explaining my sentiments on this subject it may be asked: What raised us to the present happy state? How did we accomplish the revolution? How remedy the defects of the first instrument of our Union, by infusing into the national government sufficient power for national purposes, without impairing the just rights of the states, or affecting those of individuals? How sustain and pass with glory through the late war? The government has been in the hands of the people. To the people, therefore, and to the faithful and able depositaries of their trust is the credit due. Had the people of the United States been educated in different principles, had they been less intelligent, less independent, or less virtuous, can it be believed that we should have maintained the same steady and consistent career, or been blessed with the same success? While, then, the constituent body retains its present sound and healthful state, everything will be safe. They will choose competent and faithful representatives for every department. It is only when the people become ignorant and corrupt, when they degenerate into a populace, that they are incapable of exercising the sovereignty. Usurpation is then an easy attainment, and a usurper soon found. The people themselves become the willing instruments of their own debasement and ruin. Let us then look to the great cause, and endeavor to preserve it in full force. Let us by all wise and constitutional measures promote intelligence among the people, as the best means of preserving our liberties.

Dangers from abroad are not less deserving of attention. Experiencing the fortune of other nations, the United States may again be involved in war, and it may in that event be the object of the adverse party to overset our government, to break our union, and demolish us as a nation. Our distance from Europe, and the just, moderate, and pacific policy of our government, may form some security against these dangers, but they ought to be anticipated and guarded against. Many of our citizens are engaged in commerce and navigation, and all of them are in a certain degree dependent on their prosperous state. Many are engaged in the fisheries. These interests are exposed to invasion in the wars between other powers, and we should disregard the faithful admonitions of experience if we did not expect it. We must support our rights or lose our character, and with it perhaps our liberties. A people who fail to do it can scarcely be said to hold a place among independent nations. National honor is national property of the highest value. The sentiment in the mind of every citizen is national strength. It ought therefore to be cherished

To secure us against these dangers, our coast and in should be fortified, our army and navy regulated upon just the force of each, be kept in perfect order, and our military

event of war; the latter, retained within the leace, might aid in maintaining the neutrality of dignity in the wars of other powers, and in savicitizens from spoliation. In time of war, with the great naval resources of the country render should be duly fostered in time of peace, it wo

But it ought always to be held prominently in these states, and of everything dear to a free per eminent degree on the militia. Invasions may be be resisted by any land and naval force which with the principles of our government or the circu States to maintain. In such cases recourse mu body of the people, and in a manner to produce the highest importance, therefore, that they be so as to be prepared for any emergency. The arran as to put at the command of the government the youthful vigor of the country. If formed on equal can not be oppressive. It is the crisis which make the laws which provide a remedy for it. This a formed, too, in time of peace, to be the better prosuch an organization of such a people, the United dread from foreign invasion. At its approach an gallant men might always be put in motion.

Other interests of high importance will claim at the improvement of our country by roads and can with a constitutional sanction, holds a distinguish cilitating the intercourse between the state

convenience

of our 1

the country.

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Our manufactures will likewise require the systematic and fostering care of the government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it may do in foreign hands, would be felt advantageously on agriculture, and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets

With the Indian tribes it is our duty to cultivate friendly relations, and to act with kindness and liberality in all our transactions. Equally proper is it to persevere in our efforts to extend to them the advantages of civilization.

The great amount of our revenue and the flourishing state of the treasury are a full proof of the competency of the national resources for any emergency, as they are of the willingness of our fellow-citizens to bear the burdens which the public necessities require. The vast amount of vacant lands, the value of which daily augments, forms an additional resource of great extent and duration. These resources, besides accomplishing every other necessary purpose, puts it completely in the power of the United States to discharge the national debt at an early period. Peace is the best time for improvement, and preparation of every kind: it is in peace that our commerce flourishes most, that taxes are most easily

paid, and that the revenue is most productive.

The executive is charged, officially, in the departments under it, with the disbursement of the public money, and is responsible for the faithful application of it to the purposes for which it is raised. 'The legislature is the watchful guardian over the public purse. It is its duty to see that the disbursement has been honestly made. To meet the requisite responsibility, every facility should be afforded to the executive, to enable it to bring the public agents intrusted with the public money strictly and promptly to account. Nothing should be presumed against them; but if, with the requisite facilities, the public money is suffered to lie long and usclessly in their hands, they will not be the only defaulters, nor will the demoralizing effect be confined to them. It will evince a relaxation and want of tone in the administration which will be felt by the whole community. I shall do all that I can to secure economy and fidelity in this important branch of the administration, and I doubt not that the legislature will perform its duty with equal zeal. A thorough examination should be regularly made, and I will promote it.

It is particularly gratifying to me to enter on the discharge of these duties at a time when the United States are blessed with peace. It is a state most consistent with their prosperity and happiness. It will be my sincere desire to preserve it, so far as depends on the executive, on just principles with all nations, claiming nothing unreasonable of any, and ren-

dering to each what is its due.

Equally gratifying is it to witness the increased harmony of opinion which pervades our Union. Discord does not belong to our systematic union is recommended, as well by the free and benign principles of

.... usu a government commence under ever was success so complete. If we look to ancient or modern, we find no example of a g of a people so prosperous and happy. In co still to perform, the heart of every citizen must reflects how near our government has approach respect to it we have no essential improvemen object is to preserve it in the essential principle acterize it, and that that is to be done by pres lightening the minds of the people; and as a se gers, to adopt such arrangements as are indisp our independence, our rights and liberties. If v in which we have advanced so far, and in the pa not fail, under the favor of a gracious Providence

tiny which seems to await us.

In the administration of the illustrious men w this high station, with some of whom I have been ties from early life, examples are presented while highly instructive and useful to their successors. deavor to derive all the advantages which they ma diate predecessor, under whom so important a p successful experiment has been made. I shall be my earnest wishes that he may long enjoy in his of a grateful country, the best reward of exalted ta ful and meritorious services. Relying on the ai other departments of government, I enter on the tr called by the suffrages of my fellow-citizens, with the Almighty that he will be graciously pleased to tection which he has already so conspicuously dis credit has attained an extraordinary elevation. Our preparation for defence, in case of future wars, from which, by the experience of all nations. we ought not to expect to be exempted, are advancing, under a well-digested system, with all the despatch which so important a work will ad-Our free government, founded on the interests and affections of the people, has gained and is daily gaining strength. Local jealousies are rapidly yielding to more generous, enlarged, and enlightened views of national policy. For advantages so numerous and highly important, it is our duty to unite in grateful acknowledgments to that Omnipotent Being from whom they are derived, and in unceasing prayer that he will endow us with virtue and strength to maintain and hand them down, in their utmost purity, to our latest posterity.

I have the satisfaction to inform you that an arrangement which had been commenced by my predecessor, with the British government, for the reduction of the naval force, by Great Britain and the United States, on the lakes, has been concluded; by which it is provided, that neither party shall keep in service on Lake Champlain more than one vessel; on Lake Ontario, more than one; on Lake Erie and the upper lakes, more than two; to be armed, each with one cannon only, and that all the other armed vessels of both parties, of which an exact list is interchanged, shall be dismantled. It is also agreed that the force retained shall be restricted in its duty to the internal purposes of each party; and that the arrangement shall remain in force until six months shall have expired after notice having been given by one of the parties to the other of its desire that it should terminate. By this arrangement, useless expense on both sides, and what is of still greater importance, the danger of collision between armed vessels in those inland waters, which was great, is prevented.

I have the satisfaction also to state, that the commissioners under the fourth article of the treaty of Ghent, to whom it was referred to decide to which party the several islands in the bay of Passamaquoddy belonged, under the treaty of one thousand seven hundred and eighty-three, have agreed in a report, by which all the islands in the possession of each party before the late war have been decreed to it. The commissioners acting under the other articles of the treaty of Ghent, for the settlement of boundaries, have also been engaged in the discharge of their respective duties, but have not yet completed them. The difference which arose between the two governments, under that treaty, respecting the right of the United States to take and cure fish on the coast of the British provinces, north of our limits, which had been secured by the treaty of one thousand seven hundred and eighty-three, is still in negotiation. The proposition made by this government to extend to the colonies of Great Britain the principle of the convention of London, by which the commerce between the ports of the United States and British ports in Europe had been placed on a footing of equality, has been declined by the British govern-This subject having been thus amicably discussed between the two governments, and it appearing that the British government is unwilling to depart from its present regulations, it remains for Congress to decide whether they will make any other regulations in consequence thereof for the protection and improvement of our navigation.

The negotiation with Spain, for spoliations on our commerce and the settlements of boundaries, remains essentially in the state it held in the communications that were made to Congress by my predecessor. Its been evidently the policy of the Spanish government to keep the negative

.....rand, we am carry stage, that the c the colonies would become highly interesting was natural that our citizens should sympathize their neighbors. It seemed probable, also, that t flict, along our coasts and in contiguous countrie terrupt our commerce and otherwise affect the pe citizens. These anticipations have been realize been received from persons acting under the aut) and for which redress has in most instances b every stage of the conflict, the United States hav neutrality, giving aid to neither of the parties in a nitions of war. They have regarded the conte ordinary insurrection or rebellion, but as a civil w equal, having, as to neutral powers, equal right open to both, and every article, the fruit of our s our citizens, which either was permitted to take, the other. Should the colonies establish their in now to state, that this government neither seeks them any advantage in commerce or otherwise w open to all other nations. The colonies will in t pendent states, free from any obligation to, or commay not then be their interest to form on the basis

In the summer of the present year, an expedition East Florida by persons claiming to act under to the colonies, who took possession of Amelia island Mary's river, near the boundary of the state of Gelies eastward of the Mississippi, and is bounded by the ocean on every side, and has been a subject government of Spain, as an indemnity for losses change for territory of equal value westward of the known to the world, it excited surprise that any given to this measure by any of the colonies. As reconcile it with the friendly relations existing bet and the colonies, a doubt was entertained waterner by them or any of them. This doubt has gained to

States, an asylum for fugitive slaves from the neighboring states, and a

port for smuggling of every kind.

A similar establishment was made, at an earlier period, by persons of the same description, in the gulf of Mexico, at a place called Galveston, within the limits of the United States, as we contend, under the cession of Louisiana. This enterprise has been marked in a more signal manner by all the objectionable circumstances which characterized the other, and more particularly by the equipment of privateers which have annoyed our commerce and by smuggling. These establishments, if ever sanctioned by any authority whatever, which is not believed, have abused their trust and forfeited all claims to consideration. A just regard for the rights and interests of the United States required that they should be suppressed, and orders have accordingly been issued to that effect. The imperious considerations which produced this measure will be explained to the parties whom it may in any degree concern.

To obtain correct information on every subject in which the United States are interested; to inspire just sentiments in all persons in authority, on either side, of our friendly disposition, so far as it may comport with an impartial neutrality, and to secure proper respect to our commerce in every port and from every flag, it has been thought proper to send a ship-of-war, with three distinguished citizens, along the southern coast, with instructions to touch at such ports as they may find most expedient for these purposes. With the existing authorities, with those in the possession of and exercising the sovereignty, must the communication be held; from them alone can redress for past injuries committed by persons acting under them be obtained; by them alone can the commission of the like in

future be prevented.

Our relations with the other powers of Europe have experienced no essential change since the last session. In our intercourse with each, due attention continues to be paid to the protection of our commerce, and to every other object in which the United States are interested. A strong hope is entertained, that by adhering to the maxims of a just, a candid, and friendly policy, we may long preserve amicable relations with all the powers of Europe, on conditions advantageous and honorable to our country.

With the Barbary states and the Indian tribes, our pacific relations have

been preserved.

In calling your attention to the internal concerns of our country, the view which they exhibit is peculiarly gratifying. The payments which have been made into the treasury show the very productive state of the public revenue. After satisfying the appropriations made by law for the support of the civil government and of the military and naval establishments, embracing suitable provision for fortification and for the gradual increase of the navy, paying the interest of the public debt, and extinguishing more than eighteen millions of the principal, within the present year, it is estimated that a balance of more than six millions of dollars will remain in the treasury on the first day of January, applicable to the current service of the ensuing year.

The payments into the treasury during the year one thousand eight hundred and eighteen, on account of imports and tonnage, resulting principally from duties which have accrued in the present year, may be fairly estimated at twenty millions of dollars; internal revenues, at two millions five hundred thousand; public lands, at one million five hundred

mousand eight hundred and eighteen.

In the present state of the treasury, the may be redeemed in the year 1819; after w tinues as it now is, above par, there will be of the sinking fund unexpended, until the 1812 and the stock created by funding treasu

It is also estimated that the Mississippi storthe year 1819 from the proceeds of the publicity, after which the receipts from those lapublic revenue the sum of one million five huking the permanent annual revenue amount to lars, and leaving an annual excess of revenue yound the permanent authorized expenditure, of dollars.

By the last returns to the department of v several states may be estimated at eight hundi artillery, and cavalry. Great part of this forc are taken to arm the whole. An improvement discipline of the militia is one of the great ob remitted attention of Congress.

The regular force amounts nearly to the numl stationed along the Atlantic and inland frontiers

Of the naval force, it has been necessary to in the Mediterranean and in the gulf of Mexico.

From several of the Indian tribes inhabiting Lake Erie, purchases have been made of lands ble to the United States, and it is presumed not selves.

By these purchases the Indian title, with a been extinguished to the whole of the land wit to a great part of that in Michigan territory as From the Cherokee tribe a tract has been purch gia, and an arrangement made by which, in e the Mississippi, a great part if not the whole of tribe, eastward of the

sippi and the Mobile. In this progress, which the rights of nature demand and nothing can prevent, marking a growth rapid and gigantic, it is our duty to make new efforts for the preservation, improvement, and civilization of the native inhabitants. The hunter state can exist only in the vast uncultivated desert. It vields to the more dense and compact form. and greater force of civilized population; and of right it ought to yield, for the earth was given to mankind to support the greatest number of which it is capable, and no tribe or people have a right to withhold from the wants of others more than is necessary for their own support and comfort. It is gratifying to know that the reservation of land made by the treaties with the tribes on Lake Erie, were made with a view to individual ownership among them, and to the cultivation of the soil by all, and that an annual stipend has been pledged to supply their other wants. It will merit the consideration of Congress, whether other provision not stipulated by the treaty ought to be made for these tribes, and for the advancement of the liberal and humane policy of the United States toward all the tribes within our limits, and more particularly for their improvement in the arts of civilized life.

Among the advantages incident to these purchases, and to those which have preceded, the security which may thereby be afforded to our inland frontiers, is peculiarly important. With a strong barrier, consisting of our own people, thus planted on the lakes, the Mississippi, and the Mobile, with the protection to be derived from the regular force, Indian hostilities, if they do not altogether cease, will henceforth lose their terror. Fortifications in those quarters to any extent will not be necessary, and the expense attending them may be saved. A people accustomed to the use of firearms only, as the Indian tribes are, will shun even moderate works which are defended by cannon. Great fortifications will therefore be requisite only in future along the coast, and at some points in the interior connected with it. On these will the safety of towns and the commerce of our great rivers, from the bay of Fundy to the Mississippi, depend. On these, therefore, should the utmost attention, skill, and labor be bestowed

A considerable and rapid augmentation in the value of all the public lands, proceeding from these and other obvious causes, may henceforward be expected. The difficulties attending early emigrations will be dissipated even in the most remote parts. Several new states have been admitted into our Union to the west and south, and territorial governments, happily organized, established over every other portion in which there is vacant land for sale. In terminating Indian hostilities, as must soon be done, in a formidable shape at least, the emigration which has heretofore been great will probably increase, and the demand for land and the augmentation in its value be in like proportion. The great increase in our population throughout the Union will alone produce an important effect, and in no quarter will it be so sensibly felt as in those in contemplation. The public lands are a public stock, which ought to be disposed of to the best advantage for the nation. The nation should, therefore, derive the profit proceeding from the continual rise in their value. Every encouragement should be given to the emigrants, consistent with a fair competition between them, but that competition should operate in the first sale to the advantage of the nation rather than of individuals. Great capitalists will derive all the benefit incident to their superior wealth under any mode of sale which may be adopted. But if, looking forward to the rise in the Vol. I.-26

.... great amount and value of its productions. th and other circumstances on which their prosperit we can not fail to entertain a high sense of the from the facility which may be afforded in the in by means of good roads and canals. Never di extent offer equal inducements to improvements o consequences of such magnitude involved in ther acted on by Congress at the last session, and the to revive it at present, I have brought it into view municating my sentiments on a very important with it, with that freedom and candor which a reg est and a proper respect for Congress require. has existed, from the first formation of our constitu among our most enlightened and virtuous citizens. Congress to establish such a system of improvement the trust with which I am now honored, it would I has passed, that this discussion should be revived my opinion respecting the right. Disregarding ea bestowed on the subject all the deliberation which and a just sense of my duty, required, and the res tion in my mind that Congress do not possess the ried in any of the specified powers granted to Congr it incidental to, or a necessary means, viewed on the carrying into effect any of the powers which are sp communicating this result, I can not resist the obli suggest to Congress the propriety of recommending tion of an amendment to the constitution, which she right in question. In cases of doubtful constructi vital interest, it comports with the nature and origin stitutions, and will contribute much to preserve the stituents for an explicit grant of the power. We may if it appears to their satisfaction that the power is

In this case I am happy to observe, that experi most ample proof of its utility and the control of the strict and the control of the strict and the control of the control

The capital employed in them is considerable, and the knowledge required in the machinery and fabric of all the most useful manufactures is of great value. Their preservation, which depends on due encouragement,

is connected with the high interests of the nation.

Although the progress of the public buildings has been as favorable as circumstances have permitted, it is to be regretted the capitol is not vet in a state to receive you. There is good cause to presume that the two wings, the only parts as yet commenced, will be prepared for that purpose the next session. The time seems now to have arrived when this subiect may be deemed worthy the attention of Congress, on a scale adequate to national purposes. The completion of the middle building will be necessary to the convenient accommodation of Congress, of the committees, and various officers belonging to it. It is evident that the other public buildings are altogether insufficient for the accommodation of the sevral executive departments; some of whom are much crowded and even subject to the necessity of obtaining it in private buildings, at some distance from the head of the department, and with inconvenience to the management of the public business. Most nations have taken an interest and a pride in the improvement and ornament of their metropolis, and none were more conspicuous in that respect than the ancient republics. The policy which dictated the establishment of a permanent residence for the national government, and the spirit in which it was commenced and has been prosecuted, show that such improvement was thought worthy the attention of this nation. Its central position, between the northern and southern extremes of our Union, and its approach to the west at the head of a great navigable river which interlocks with the western waters, prove the wisdom of the councils which established it.

Nothing appears to be more reasonable and proper, than that convenient accommodation should be provided, on a well-digested plan for the heads of the several departments, and for the attorney-general; and it is believed that the public ground in the city, applied to these objects, will be found amply sufficient. I submit this subject to the consideration of Congress, that such provision may be made in it as to them may seem proper.

In contemplating the happy situation of the United States, our attention is drawn, with peculiar interest, to the surviving officers and soldiers of our revolutionary army, who so eminently contributed, by their services, to lay its foundation. Most of those very meritorious citizens have paid the debt of nature and gone to repose. It is believed, that among the survivors, there are some not provided for by existing laws, who are reduced to indigence and even to real distress. These men have a claim on the gratitude of their country, and it will do honor to their country to provide for them. The lapse of a few years more, and the opportunity will be for ever lost; indeed, so long already has been the interval, that the number to be benefited by any provision which may be made will not be great.

It appearing in a satisfactory manner that the revenue arising from imposts and tonnage, and from the sale of public lands, will be fully adequate to the support of the civil government, of the present military and naval establishments, including the annual augmentation of the latter to the extent provided for, to the payment of the interest on the public debt, and to the extinguishment of it at the times authorized, without the aid of the internal taxes, I consider it my duty to recommend to Congress their repeal. To impose taxes when the public exigencies require them,

prompt to suggest such measures and burdens as and proper.

## SECOND ANNUAL MES

NOVEMBER 17, 1818.

Fellow-Citizens of the Senate and House of Represe

The auspicious circumstances under which you ties of the present session will lighten the burden high trusts committed to you. The fruits of the sually abundant, commerce has flourished, the reve most favorable anticipation, and peace and amity a eign nations on conditions just and honorable to ou inestimable blessings we can not but be grateful to a watches over the destinies of nations.

As the term limited for the operation of the comm Great Britain will expire early in the month of deemed important that there should be no interved portion of our commerce which was provided for should not be regulated, either by arrangement between the should not be regulated, either by arrangement between the should not be regulated, either by arrangement between the should not be regulated, either by arrangement between the should not be regulated, early in the last summe tion of the British government to the subject, with the was instructed to propose, also, that the negon wished to open might extend to the general comme tries, and to every other interest and unsettled differ particularly to those relating to impressment, the fisher in the hope

that to prevent any inconvenience resulting from the delay to a negotiation on so many important subjects, it was agreed before entering on it that the existing convention should be continued for a term not less than eight years.

Our relations with Spain remain nearly in the state in which they were at the close of the last session. The convention of 1802, providing for the adjustment of a certain portion of the claims of our citizens for iniuries sustained by spoliation, and so long suspended by the Spanish government, has at length been ratified by it; but no arrangement has yet been made for the payment of another portion of like claims, not less extensive or well founded, or for other classes of claims, or for the settlement of boundaries. These subjects have again been brought under consideration in both countries, but no agreement has been entered into respecting them. In the meantime, events have occurred which clearly prove the ill effect of the policy which that government has so long pursued, on the friendly relations of the two countries, which it is presumed is at least of as much importance to Spain as to the United States to maintain. A state of things has existed in the Floridas, the tendency of which has been obvious to all who have paid the slightest attention to the progress of affairs in that quarter. Throughout the whole of those provinces to which the Spanish title extends, the government of Spain has scarcely been felt. Its authority has been confined almost exclusively to the walls of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventurers from every country, fugitives from justice, and absconding slaves have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity, and whose settlements extend to our limits, inhabit those provinces. These different hordes of people, connected together, disregarding, on the one side, the authority of Spain, and protected on the other by an imaginary line which separates Florida from the United States, have violated our laws prohibiting the introduction of slaves, have practised various frauds on our revenue, and committed every kind of outrage on our peaceable citizens which their proximity to us enabled them to perpetrate. The invasion of Amelia island last year by a small band of adventurers, not exceeding one hundred and fifty in number, who wrested it from the inconsiderable Spanish force stationed there, and held it several months, during which a single effort only was made to recover it, which failed, clearly proves how completely extinct the Spanish authority had become, as the conduct of those adventurers while in possession of the island, as distinctly shows the pernicious purposes for which their combination had been formed.

This country had in fact become the theatre of every species of lawless adventure. With little population of its own, the Spanish authority almost extinct, and the colonial governments in a state of revolution, having no pretensions to it, and sufficiently employed in their own concerns, it was in a great measure derelict, and the object of cupidity to every adventurer. A system of bucaniering was rapidly organizing over it, which menaced, in its consequences, the lawful commerce of every nation, and particularly of the United States, while it presented a temptation to every people on whose seduction its success principally depended. In regard to the United States, the pernicious effect of this unlawful combination was not confined to the ocean; the Indian tribes have constituted the effective force in Florida. With these tribes these adventurers had formed at an early period a connexion, with a view to avail themselves of that

If the embarrassments of Spain prevented her fr ty to our citizens for so long a time from her treas spoliation and otherwise, it was always in her po by the cession of this territory. Of this her go peatedly apprized, and the cession was the more to as Spain must have known that in ceding it she we had become of little value to her, and would likewise important obligation secured by the treaty of 175 promitments respecting it. If the United States, these embarrassments, declined pressing their claiity, the motive ought at least to have been duly ernment of Spain. It is well known to her govern have made to the United States an indemnity for I their citizens at the same epoch.

There is, nevertheless, a limit beyond which t forbearance can in no instance be justified. If it amicable negotiations for an indemnity for losses. so to have permitted the inability of Spain to fulfil to sustain her authority in the Floridas, to be perv turers and savages to purposes so destructive to 1 citizens, and the highest interests of the United self-defence never ceases. It is among the most a sary to nations and individuals; and whether the at herself, or by those who abuse her power, its obli strong. The invaders of Amelia island had assu spected title, under which they might approach an object was distinctly seen, and the duty imposed o existing law was profoundly felt, that mask was n them. It was thought incumbent on the United establishment, and it was accordingly done. The for the unlawful purposes stated, the acts perpetrate and, above all, the incitement of the Indians to mass that line would have given new encouragement to these savages, and new vigor to the whole combination existing there in the prosecution of all its pernicious purposes.

In suppressing the establishment at Amelia island, no unfriendliness was manifested toward Spain, because the post was taken from a force which had wrested it from her. The measure, it is true, was not adopted in concert with the Spanish government, or those in authority under it, because, in transactions connected with the war in which Spain and her colonies are engaged, it was thought proper, in doing justice to the United States, to maintain a strict impartiality toward both of the belligerent parties without consulting or acting in concert with either. It gives me pleasure to state that the government of Buenos Ayres and Venezuela, whose names were assumed, have explicitly disclaimed all participation in those measures, and even the knowledge of them until communicated by this government, and have also expressed their satisfaction that a course of proceeding had been suppressed which, if justly imputable to them, would dishonor their cause.

In authorizing Major-General Jackson to enter Florida in pursuit of the Seminoles, care was taken not to encroach on the rights of Spain. I regret to have to add, that in executing this order facts were disclosed respecting the conduct of the officers of Spain in authority there, in encouraging the war, furnishing munitions of war and other supplies to carry it on, and in other acts not less marked, which evinced their participation in the hostile purposes of that combination, and justified the confidence with which it inspired the savages that by those officers they would be protected. A conduct so incompatible with the friendly relations existing between the two countries, particularly with the positive obligation of the fifth article of the treaty of 1795, by which Spain was bound to restrain, even by force, those savages from acts of hostility against the United States, could not fail to excite surprise. The commanding general was convinced that he should fail in his object, that he should in effect accomplish nothing, if he did not deprive those savages of the resource on which they had calculated, and of the protection on which they had relied, in making the war. As all the documents relating to this occurrence will be laid before Congress, it is not necessary to enter into further detail respecting it.

Although the reasons which induced Major-General Jackson to take these posts were duly appreciated, there was nevertheless no hesitation in deciding on the course which it became the government to pursue. As there was reason to believe that the commanders of these posts had violated their instructions, there was no disposition to impute to their government a conduct so unprovoked and hostile. An order was in consequence issued to the general in command there, to deliver the posts; Pensacola, unconditionally, to any person duly authorized to receive it, and St. Marks, which is in the heart of the Indian country, on the arrival of a competent force to defend it against those savages and their associates.

In entering Florida to suppress this combination, no idea was entertained of hostility to Spain, and however justifiable the commanding general was, in consequence of the misconduct of the Spanish officers, in entering St. Marks and Pensacola, to determine it by proving to the savages and their associates that they could not be protected even there, yet the anticable relations existing between the United States and Spain could not altered by that act alone. By ordering the restitution of the posts that

and to do justice to the Office States and to pron

Copies of the instructions to the commanding spondence with the secretary of war, explaining his his conduct, with a copy of the proceedings of the trial of Arbuthnot and Ambristie; and of the correspondence of state and the minister plenipotentiary of ernment; and of the minister plenipotentiary of the rid, with the government of Spain, will be laid before

The civil war which has so long prevailed betwe inces in South America still continues without any termination. The information respecting the condi which has been collected by the commissioners: thence, will be laid before Congress in copies of their er information as has been received from other agen

It appears, from these communications, that the Ayres declared itself independent in July, 1816, he cised the power of an independent government, thou king of Spain, from the year 1810; that the Banda and Paraguay, with the city of Santa Fe, all of whent, are unconnected with the present government of Chili has declared itself independent and is clibuenos Ayres; that Venezuela has also declared in now maintains the conflict with various success; as parts of South America, except Montevideo, and successers bank of the La Plata as are held by Portugion of Spain or in a certain degree under her influ

By a circular note addressed by the ministers of powers, with whom they are accredited, it appears undertaken to mediate between Spain and the South and that the manner and extent of their interposition a congress which was to have met at Aix-la-Chape From the general policy and course of proceedings.

I have great satisfaction in stating that our relations with France, Russia, and other powers, continue on the most friendly basis.

In our domestic concerns we have ample cause of satisfaction. The receipts into the treasury during the first three quarters of the year have exceeded seventeen millions of dollars.

After satisfying all the demands which have been made under existing appropriations, including the final extinction of the old six per cent. stock, and the redemption of a moiety of the Louisiana debt, it is estimated that there will remain in the treasury, on the first day of January next, more than two millions of dollars.

It is ascertained that the gross revenue which has accrued from the customs during the same period amounts to twenty-one millions of dollars, and that the revenue of the whole year may be estimated at not less than twenty-six millions. The sale of the public lands during the year has also greatly exceeded, both in quantity and price, that of any former year, and there is just reason to expect a progressive improvement in that source of revenue.

It is gratifying to know, that although the annual expenditure has been increased, by the act of the last session of Congress providing for revolutionary pensions, to an amount about equal to the proceeds of the internal duties which were then repealed, the revenue for the ensuing year will be proportionably augmented, and that while the public expenditure will probably remain stationary, each successive year will add to the national resources by the ordinary increase of population, and by the gradual development of our latent sources of national prosperity.

The strict execution of the revenue laws, resulting principally from the salutary provisions of the act of the 20th of April last amending the several collection laws, has, it is presumed, secured to domestic manufactures all the relief that can be derived from the duties which have been imposed upon foreign merchandise for their protection. Under the influence of this relief, several branches of this important national interest have assumed greater activity, and although it is hoped that others will gradually revive and ultimately triumph over every obstacle, yet the expediency of

granting further protection is submitted to your consideration.

The measures of defence authorized by existing laws have been pursued with the zeal and activity due to so important an object, and with all the despatch practicable in so extensive and great an undertaking. The survey of our maritime and inland frontiers has been continued, and at the points where it was decided to erect fortifications the work has been commenced, and in some instances considerable progress has been made. In compliance with resolutions of the last session, the board of commissioners were directed to examine in a particular manner the parts of the coast therein designated, and to report their opinion of the most suitable sites for two naval depots. This work is in a train of execution. The opinion of the board on this subject, with a plan of all the works necessary to a general system of defence, so far as it has been formed, will be laid before Congress, in a report from the proper department, as soon as it can be prepared.

In conformity with the appropriations of the last session, treaties have been formed with the Quapaw tribe of Indians, inhabiting the companies the Arkansas, and with the Great and Little Osages north of triver; with the tribes in the state of Indiana; with the sever within the state of Ohio and the Michigan territory; and with the

on the Mississippi, at no great distance from ou can hardly be presumed, while such posts are the Indian tribes, that they will venture to atta ants. A strong hope is entertained that this productive of much good to the tribes themsel ting the great object of their civilization. Expe strated that independent savage communities car limits of a civilized population. The progress invariably terminated in the extinction of the tribes belonging to our portion of this hemisphe of sentiment and gallantry in action have been them, and even to prevent their extinction, it s that their independence as communities should trol of the United States over them should be The hunter state will then be more easily abanbe had to the acquisition and culture of land, as ing to dissolve the ties which connect them to munity, and to give a new character to every in subject to the consideration of Congress, on the be found expedient and practicable to adopt son having these objects in view, relative to the tribe

It has been necessary during the present year val force in the Mediterranean and the gulf of M public ships along the southern coast and to the means amicable relations with the Barbary power our commerce has been protected, and our right mentation of our navy is advancing with a steril

limit contemplated by law.

I communicate with great satisfaction the ac Illinois, to our Union; because I perceive, from a additions already made, the regular progress an a policy of which history affords no example, and can not be too highly estimated. By extending our ciples of our constitution, over the vast territory tuted. its authority will be cherished. Each government will acquire new force and a greater freedom of action within its proper sphere. Other inestimable advantages will follow. Our produce will be augmented to an incalculable amount in articles of the greatest value for domestic use and foreign commerce. Our navigation will in like degree be increased, and as the shipping of the Atlantic states will be employed in the transportation of the vast produce of the western country, even those parts of the United States which are the most remote from each other will be further bound together by the strongest ties which mutual interest can create.

The situation of this district, it is thought, requires the attention of Congress. By the constitution, the power of legislation is exclusively vested in the Congress of the United States. In the exercise of this power, in which the people have no participation, Congress legislate, in all cases, directly on the local concerns of the district. As this is a departure, for a special purpose, from the general principles of our system. it may merit consideration whether an arrangement better adapted to the principles of our government, and to the particular interest of the people, may not be devised, which will never infringe the constitution nor affect the object which the provision in question was intended to secure. The growing population, already considerable, and the increasing business of the district, which it is believed already interferes with the deliberations of Congress on great national concerns, furnish additional motives for recommending this subject to your consideration.

When we view the great blessings with which our country has been favored, those which we now enjoy, and the means which we possess of handing them down unimpaired to our latest posterity, our attention is irresistibly drawn to the source from whence they flow. Let us then unite in offering our most grateful acknowledgments for these blessings to the Divine Author of all good.

#### THIRD ANNUAL MESSAGE.

#### DECEMBER 7, 1819.

Fellow-Citizens of the Senate and House of Representatives:

THE public buildings being advanced to a stage to afford accommodation to Congress, I offer you my sincere congratulation on the recom-

mencement of your duties in the capitol.

In bringing to view the incidents most deserving attention which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness, that an unusual drought has prevailed in the middle and western states, and that a derangement has been felt in some of our moneyed institutions which has proportionally affected their credit. I am happy, however, to have it in my power to assure you that the health of our cities is now completely restored; that the produce of the year, though less abundant, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations: that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested and the good sense and virtue of our fellow-citizens supplied, diminished.

A mose rosses use been acknowledged and prov back as the year 1802, which, although conc then ratified by the government of Spain, nor when it was suspended by the late treaty, a mo both parties, as was presumed, having been made ences had arisen in this long interval, affectir which were likewise provided for by this last was formed on great consideration, and a thoro cumstances, the subject-matter of every article l discussion, and repeated references having been Spain to this government, on the points respecti ference of opinion prevailed. It was formed by ed for the purpose, who had represented his States, and been employed in this long-protr years, and who, it is not denied, kept strictly w structions. The faith of Spain was therefore plea of peculiar force and solemnity, for its ratifica United States this treaty was evidently acceded tion and concession. The indemnity for injurie fore sustained, and now again acknowledged an paid by them without becoming a charge on the territory ceded by Spain, other territory of great was believed to be well founded, was ceded by a quarter more interesting to her. This cession ed as the means of indemnifying our citizens in presumed amount of their losses. Other consideration urged the cession of the territory by Spain. It territories of the United States on every side exc Spain had lost its authority over it, and falling i turers connected with savages, it was made the noyance and injury to our Union in many of its By this cession, then, Spain ceded a territory in and obtained concessions of the highest imports long-standing differences with the United States claims and limits and liberries --1!-

ture and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and cir-

cumstances in my possession relating to it.

Anxious to prevent any future disagreement with Spain, by giving the most prompt effect to the treaty which had been thus concluded, and particularly by the establishment of a government in Florida which should preserve order there, the minister of the United States who had been recently appointed to his catholic majesty, and to whom the ratification by his government had been committed to be exchanged for that of Spain. was instructed to transmit the latter to the department of state as soon as obtained, by a public ship subjected to his order for the purpose. Unexpected delay occurring in the ratification by Spain, he requested to be informed of the cause. It was stated in reply that the great importance of the subject, and a desire to obtain explanations on certain points which were not specified, had produced the delay and that an envoy would be despatched to the United States to obtain such explanations of this government. The minister of the United States offered to give full explanation on any point on which it might be desired; which proposal was declined. Having communicated this result to the department of state in August last, he was instructed, notwithstanding the surprise and disappointment which it produced, to inform the government of Spain, that if the treaty should be ratified and transmitted here at any time before the meeting of Congress it would be received and have the same effect as ifit had been ratified in due time. This order was executed, the authorized communication was made to the government of Spain, and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented the ratification of the treaty by his catholic majesty. It is alleged by the minister of Spain that this government had attempted to alter one of the principal articles of the treaty by a declaration which the minister of the United States had been ordered to present, when he should deliver the ratification by his government in exchange for that of Spain; and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged that this government had recently tolerated or protected an expedition from the United States against the province of Texas. These two imputed acts are stated as the reasons which have induced his catholic majesty to withhold his ratification from the treaty, to obtain explanations respecting which it is repeated that an envoy would be forthwith despatched to the United States. How far these allegations will justify the conduct of the government of Spain will appear on a view of the following facts, and the evidence which supports them.

It will be seen by the documents transmitted herewith that the declaration mentioned relates to a clause in the eighth article concerning certain grants of land recently made by his catholic majesty in Florida, which it was understood had conveyed all the lands which till then had been ungranted; it was the intention of these parties to annul these latter grants, and that clause was drawn for that express purpose and for no other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article; indeed it must be obvious to all, that if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty we concluded and ratified by this government, an intimation was received that these grants were of anterior date to that fixed on by the treaty

last summer, that some adventurers entertained ed, the attention of the constituted authorities diately drawn to them, and it is known that the

be, has utterly failed.

These facts will, it is presumed, satisfy eve government of Spain has no justifiable cause treaty. A treaty concluded in conformity with in good faith, in all its stipulations, according t ing of the parties. Each party is bound to rat aside, without the consent of the other, there we applicable to such transactions between nations government of Spain has rendered to the Uni serious injury. It has been stated that a mini certain explanations of this government. But were they not asked within the time limited : contemplated to open a new negotiation respec conditions of the treaty? If that were done, to it not lead? At what time and in what manne terminate? By this proceeding, Spain has fo the two countries which will justify any mea United States which a strong sense of injury a rights and interests of the nation may dictate.

In the course to be pursued, these objects in view and have their due weight. Our natitained, and a new and distinguished proof be a justice and moderation which has invariably go free people. It must be obvious to all, that if all desirous of making conquests, or had been enthemselves in that way, they could have has this treaty. They would have much cause of which has been pursued by Spain. An ample before them. But such a career is not consist their government nor the interests of the nation.

From a full view of all circumstances, it is s

on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained, and for which indemnity has been so unjustly withheld from them. Accomplishing these

great objects, we obtain all that is desirable.

But his catholic majesty has twice declared his determination to send a minister to the United States, to ask explanations on certain points, and to give them respecting his delay to ratify the treaty. Shall we act by taking the ceded territory and proceeding to execute the other conditions of the treaty before this minister arrives and is heard? This is a case which forms a strong appeal to the candor, the magnanimity, and honor of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing; for resting on the ground of immutable truth and justice, we can not be diverted from our purpose. It ought to be presumed that the explanations which may be given to the minister of Spain will be satisfactory and produce the desired result. In any event. the delay for the purpose mentioned being a further manifestation of the sincere desire to terminate, in the most friendly manner, all differences with Spain, can not fail to be duly appreciated by his catholic majesty as well as by other powers. It is submitted, therefore, whether it be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operations, upon the responsibility of the executive in such manner as to afford an opportunity for such friendly explanations as may be desired during the present session of Congress.

I communicate to Congress a copy of the treaty and of the instructions to the minister of the United States at Madrid, respecting it; of his correspondence with the minister of Spain, and of such other documents as

may be necessary to give a full view of the subject.

In the course which the Spanish government have on this occasion thought proper to pursue, it is satisfactory to know that they have not been countenanced by any European power. On the contrary, the opinion and wishes both of France and Great Britain have not been withheld, either from the United States or from Spain, and have been unequivocal in favor of the ratification. There is also reason to believe that the sentiments of the imperial government of Russia have been the same, and that they have also been made known to the cabinet of Madrid.

In the civil war existing between Spain and the Spanish provinces in this hemisphere, the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have been equally open to both parties, and on the same conditions, and our citizens have been equally restrained from interfering in favor of either, to the prejudice of the other. The progress of the war, however, has operated manifestly in favor of the colonies. Buenos Ayres still maintains unshaken the independence which it declared in 1816, and has enjoyed since 1810. Like success has attended Chili and the provinces north of the La Plata bordering on it, and likewise Venezuela.

This contest has from its commencement been very interesting to other powers, and to none more so than to the United States. A virtuous people may and will confine themselves within the limits of a strict neutrality but it is not in their power to behold a conflict so vitally important neighbors without the sensibility and sympathy which nature such a case. It has been the steady purpose of this government that feeling leading to excess, and it is very gratifying.

timents, on the part of the United States, ha other powers, with whom it is desirable to accome manifest to the world that the efforts of inces will be fruitless, it may be presumed the itself will give up the contest. In producing not be doubted that the opinions of friendly powin the controversy will have their merited infi-

It is of the highest importance to our nation ble to the morality of our citizens, that all should be prevented. No door should be left laws; no opportunity afforded to any who may tage of it to compromit the interest or honor of therefore, to the consideration of Congress, whole to revise the laws with a view to this desi-

It is submitted, also, whether it may not b law the several perts or places along the coast of-war and privateers may be admitted. The regulations of our commerce, and of other imposition that such designation, furnishes a strong m

At the time of the negotiation for the renew vention between the United States and Great entertained that an article might have been agretory to both countries, regulating upon principle the commercial intercourse between the Unit possessions, as well in the West Indies as up America. The plenipotentiaries of the two go able to come to an agreement on this import United States reserved for the consideration of posals which had been presented to them as the of the British government, and which they were on their transmission here, they were examinand the result of which was a new effort to me government. The minister of the United State a further proposal, which has not been access.

two governments, with regard to the true intent and meaning of the fifth article of the treaty of Ghent, in relation to the carrying away, by British officers, of slaves from the United States, after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign or state to be named for that purpose. The minister of the United States has been instructed to name to the British government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the United States.

Although the pecuniary embarrassment which affected various parts of the Union, during the latter part of the preceding year have, during the present, been considerably augmented, and still continue to exist, the receipts into the treasury to the 30th of September last have amounted to nineteen millions of dollars. After defraying the current expenses of the government, including the interest and reimbursement of the public debt, payable to that period, amounting to eighteen millions two hundred thousand dollars, there remained in the treasury on that day more than two millions five hundred thousand dollars, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the treasury for the same period.

The causes which have tended to diminish the public receipts could not fail to have a corresponding effect upon the revenue which has accrued upon imposts and tonnage during the first three quarters of the present year. It is, however, ascertained, that the duties which have been secured during that period exceed eighteen millions of dollars, and those of the whole year will probably amount to twenty-three millions of dollars.

For the probable receipts of the next year I refer you to the statements which will be transmitted from the treasury, which will enable you to judge whether further provision be necessary.

The great reduction in the price of the principal articles of domestic growth, which has occurred during the present year, and the consequent fall in the price of labor, apparently so favorable to the success of domestic manufacture, have not shielded them against other causes adverse to their prosperity The pecuniary embarrassments which have so deeply affected the commercial interests of the nation have been no less adverse to our manufacturing establishments in several sections of the Union.

The great reduction of the currency which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages resulting from the reduction of the prices of the raw materials and of labor, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks has not been obtained from other sources, owing to the loss of individual confidence from the failures which have recently occurred in some of our principal commercial cities.

An additional cause of the depression of these establishments may probably be found in pecuniary embarrassments which have recently affectations countries with which our commerce has been principally prosecute. Their manufactures, for the want of a ready or profitable market at home

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the nation, is submitted to the wisdom of Con.

The survey of the coast for the establishme nearly completed, and considerable progress hit on of materials for the construction of fortifico and in the Chesapeake bay. The works Potomac below Alexandria, and on the Peap much advanced, and it is expected that the frinthe harbor of New York, will be completed rive all the advantages contemplated from these sary that they should be judiciously posted, a to permanency. The progress hitherto has, the difficulties in parts hitherto the least exmounted, it will in future be more rapid. At coast is completed, which it is expected will spring, the engineers employed in it will, propurposes, the northern and northwestern frontice.

The troops intended to occupy a station at the on the Mississippi, have established themselve were ordered to the mouth of the Yellowstone, cended that river to the Council Bluffs, where spring, when they will proceed to the place of the satisfaction to state that this measure has be the Indian tribes, and that it promises to product the advantages which were contemplated by it.

Much progress has likewise been made in the war, and in the collection of timber and other. It is not doubted that our navy will soon be aug placed in all respects on the footing, provided is

The board, consisting of engineers and naval their final report of sites for two naval depôt to the resolution of March 18th and April 20th amined the coast therein designated, and their next month.

For the protection of our commerce in the

as a prey to their rapacity. Due attention has likewise been paid to the suppression of the slave-trade, in compliance with a law of the last session. Orders have been given to the commanders of all our public ships, to seize all vessels navigated under our flag engaged in that trade, and to bring them in, to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

In the execution of the duty imposed by these acts, and of a high trust connected with it, it is with deep regret I have to state the loss which has been sustained by the death of Commodore Perry. His gallantry in a brilliant exploit in the late war added to the renown of his country. His death is deplored as a national misfortune.

# FOURTH ANNUAL MESSAGE.

November 14, 1820.

Fellow-Citizens of the Senate and House of Representatives :-

In communicating to you a just view of public affairs at the commencement of your present labors, I do it with great satisfaction, because, taking all circumstances into condideration which claim attention, I see much cause to rejoice in the felicity of our situation. In making this remark, I do not wish to be understood to imply that an unvaried prosperity is to be seen in every interest of this great community. In the progress of a nation inhabiting a territory of such vast extent and great variety of climate, every portion of which is engaged in foreign commerce, and liable to be affected in some degree by the changes which occur in the condition and regulations of foreign countries, it would be strange if the produce of our soil and the industry and enterprise of our fellow-citizens received, at all times and in every quarter, a uniform and equal encouragement. This would be more than we would have a right to expect under circumstances the most favorable. Pressures on certain interests, it is admitted, have been felt; but allowing to these their greatest extent, they detract but little from the force of the remarks already made. In forming a just estimate of our present situation, it is proper to look at the whole in the outline as well as in the detail. A free, virtuous, and enlightened people know well the great principles and causes on which their happiness depends, and even those who suffer most occasionally in their transitory concerns, find great relief under their sufferings from the blessings which they otherwise enjoy, and in the consoling and animating hope which they administer. From whence do these pressures come? Not from a government which is founded by, administered for, and supported by the people. We trace them to the peculiar character of the epoch in which we live, and to the extraordinary occurrences which have signalized it. The convulsions with which several of the powers of Europe have been shaken, and the long and destructive wars in which all were engaged, with their suddless transition to a state of peace, presenting in the first instance unusual couragement to our commerce, and withdrawing it in the second, we within its wonted limit, could not fail to be sensibly The s

condimon of our cot ---, stances which constitute the felicity of a nation full enjoyment of all his rights—the Union bles rising to greatness under a national governmen plete effect in every part without being felt in protection which it affords, and under state g their equal share according to a wise distribut in promoting the public happiness—it is imposso glorious a spectacle, without being penetrat and grateful acknowledgments to the Supreme manifold and inestimable blessings. Deeply i ments, I can not regard the pressures to which than in the light of mild and instructive admon rers to be shunned in future; teaching us less ding with the simplicity and purity of our insti their support; evincing the connexion and dep parts of our happy Union have on each other our social incorporation, and adding by its str vigor to the political; opening a wider range, ment, to the industry and enterprise of our fe abroad; and more especially by the multiplied mulated of the great perfection of our most en ment, the powerful instrument in the hands of : securing to us these blessings.

Happy as our situation is, it does not exempt for the future. On the contrary, as the bless great, proportionably great should be our vigil preserve them. Foreign wars may again exposwould impose on us new duties for which we or state of Europe is unsettled, and how long paltogether uncertain; in addition to which, we to adjust, which will require particular attention relations with each power will enable you to fo difficulties, and of the measures of precaution be

Respecting our relations with Spain, nothing

ject under consideration. The result of the deliberations of that body, which is daily expected, will be made known to Congress as soon as it is received. The friendly sentiment which was expressed on the part of the United States, in the message of the 9th of May last, is still entertertained for Spain. Among the causes of regret, however, which are inseparable from the delay attending this transaction, it is proper to state that satisfactory information has been received that measures have been recently adopted, by designing persons, to convert certain parts of the province of East Florida into dépôts for the reception of foreigh goods, from whence to smuggle them into the United States. By opening a port within the limits of Florida, immediately on our boundary, where there was no settlement, the object could not be misunderstood. An early accommodation of differences will, it is hoped, prevent all such fraudulent and pernicious practices, and place the relations of the two countries on a very amicable and permanent basis.

The commercial relations between the United States and the British colonies in the West Indies and on this continent, have undergone no change, the British government still preferring to leave that commerce under the restriction heretofore imposed on it on each side. It is satisfactory to recollect that the restraints resorted to by the United States were defensive only, intended to prevent a monopoly, under British regulations, in favor of Great Britain, as it likewise is to know that the exper-

iment is advancing in a spirit of amity between the parties.

The question depending between the United States and Great Britain, respecting the construction of the first article of the treaty of Ghent, has been referred by both governments to the decision of the emperor of Rus-

sia, who has accepted the umpirage.

An attempt has been made with the government of France to regulate, by treaty, the commerce between the two countries, on the principle of reciprocity and equality. By the last communication from the minister plenipotentiary of the United States at Paris, to whom full power had been given, we learn that the negotiation had been commenced there, but serious difficulties having occurred, the French government had resolved to transfer it to the United States, for which purpose the minister plenipotentiary of France had been ordered to repair to this city, and whose arrival might soon be expected. It is hoped that this important interest may be arranged on just conditions and in a manner equally satisfactory to both parties. It is submitted to Congress to decide, until such arrangement is made, how far it may be proper on the principle of the act of the last session which augmented the tonnage duty on French vessels, to adopt other measures for carrying more completely into effect the policy of that act.

The act referred to, which imposed new tonnage duty on French vessels, having been in force from and after the first day of July, it has happened that several vessels of that nation, which had been despatched from France before its existence was known, have entered the ports of the United States, and been subject to its operation, without that previous notice which the general spirit of our laws gives to individuals in similar cases. The object of that law having been merely to countervail inequalities which existed to the disadvantage of the United States commercial intercourse with France, it is submitted also to the ation of Congress, whether, in the spirit of amity and conciliate it is no less the inclination than the policy of the United States

parts, and particularly in Venezuela and New gained strength and acquired reputation, bot war in which they have been successful and administration. The late change in the gove establishment of the constitution of 1812, is a be favorable to the revolution. Under the Congress of Angostura was invited to open ment of differences between the parties; to wl would willingly open the negotiation, provid their independence was made its basis, but : proceedings between them we are uninformed this government to warrant the belief that an will take a part in the contest; whence it m all circumstances which must have weight in an adjustment will finally take place on the bas To promote that result by friendly counsels w Spain herself, has been the uniform policy of t

In looking to the internal concerns of our c suaded, derive much satisfaction from a view which, in the discharge of your official dutidrawn. Among these, none hold a more impe revenue, from the direct operation of the power | people, and by its influence in giving effect to ev ernment. The revenue depends on the reson the facility by which the amount required is r the extent of the resources and of the efficient few prominent facts will place this great inte you. On the 30th of September, 1815, the fu the United States was estimated at one hundr six hundred and thirty-five thousand five hundi If to this sum be added the amount of five pe the Bank of the United States, the amount of the stock which was issued subsequently to the tained to be due to certain states for military so for supplies furnished and services rendered

branch of the civil, mllitary, and naval establishments; the public edifices in this city have been rebuilt, with considerable additions; extensive fortifications have been commenced; and are in a train of execution; permanent arsenals and magazines have been erected in various parts of the Union; our navy has been considerably augmented, and the ordnance, munitions of war, and stores of the army and navy, which were much exhausted during the war, have been replenished.

By the discharge of so large a portion of the public debt, and the execution of such extensive and important operations, in so short a time a just estimate may be formed of the great extent of our national resources. The demonstration is the more complete and gratifying, when it is recollected that the direct tax and excise were repealed soon after the termination of the late war, and that the revenue applied to these purposes

had been derived almost wholly from other sources.

The receipts into the treasury, from every source, to the 30th of September last, have amounted to sixteen millions even hundred and ninety-four thousand one hundred and seven dollars and sixty-six cents; while the public expenditures to the same period amounted to sixteen millions eight hundred and seventy-one thousand five hundred and thirty-four dollars and seventy-two cents; leaving in the treasury, on that day, a sum estimated at one million nine hundred and fifty thousand dollars. For the probable receipts of the following year I refer you to the statement which will be transmitted from the treasury.

The sum of three millions of dollars, authorized to be raised by loan by an act of the last session of Congress, has been obtained upon terms advantageous to the government, indicating not only an increased confidence in the faith of the nation, but the existence of a large amount of capital seeking that mode of investment, at a rate of interest not exceeding five

per centum per annum.

It is proper to add, that there is now due to the treasury, for the sale of public lands, twenty-two millions nine hundred and ninety-six thousand five hundred and forty-five dollars. In bringing this subject to view, I consider it my duty to submit to Congress whether it may not be advisable to extend to the purchasers of these lands, in consideration of the unfavorable change which has occurred since the sales, a reasonable indulgence. It is known that the purchases were made when the price of every article had risen to its greatest height, and that the instalments are becoming due at a period of great depression. It is presumed that some plan may be devised by the wisdom of Congress, compatible with the public interest, which would afford great relief to these purchasers.

Considerable progress has been made, during the present season, in examining the coast and its various bays and other inlets; in the collection of materials and in the construction of fortifications for the defence of the Union, at several of the positions at which it has been decided to erect such works. At Mobile point and Dauphin island, and at the Rigolets, leading to Lake Pontchartrain, materials to a considerable amount have been collected, and all the necessary preparations made for the commencement of the works. At Old Point Comfort, at the mouth of James river, and at the Rip-Raps, on the opposite shore in the Chesapeake bay materials to a vast amount have been collected; and at the Old Point some progress has been made in the construction of the form on a very extensive scale. The work at Fort Washington will be completed early in next spring, and that on the

gether, combining security with economy, courepeated examinations of the most exposed ar would also take considerable time to collect the points where they would be required. From shed on this subject, I am eatisfied that every has been formed of this great undertaking will completed, it will afford very great if not com lantic frontier in the event of another war; a perbalance, in a single campaign, with an energense of all these works, without taking into the lives of so many of our citizens, the protection property, or the tendency of such works to pre-

Our military positions have been maintaine kansas, at Council Bluff on the Missouri, at St. and at Green bay on the upper lakes. Commoc been erected at most of these posts, with such for their defence. Progress has also been mations between them, and in raising supplies at troops by their own labor, particularly those me

With the Indians peace has been preserve carrying into effect the act of Congress making civilization, with a prospect of favorable result with both these objects, our trade with those tri attention of Congress. In their original state, and war their occupation; and if they find no powers they destroy each other. Left to them inevitable. By a judicious regulation of our tratheir wants, administer to their comforts, and retires, draw them to us. By maintaining posequire a more thorough and direct control over confidently believed that a complete change in taccomplished. By such posts, aided by a proposit them, and a judicious civil administration for by law, we shall, it is presumed, be enable

nean. It has been found equally necessary to employ some of our vessels for the protection of our commerce in the Indian sea, the Pacific, and along the Atlantic coast. The interests which we have depending in those quarters, which have been much improved of late, are of great extent, and of high importance to the nation, as well as to the parties concerned, and would undoubtedly suffer if such protection was not extended to them. In execution of the law of last session, for the suppression of the slave-trade, some of our public ships have also been employed on the coast of Africa, where several captures have already been made of vessels engaged in that disgraceful traffic.



to the great and never-ceasing obligations who the continuance of this good opinion, and to c tirement, as the solace of my advancing year most zealous and unceasing efforts.

Having no pretensions to the high and comressors, whose names are so much more constrevolution, and who contributed so pre-eminent consider myself rather as the instrument, than that prevailed in the late election. In surmous pretensions, the difficulties which so often protences, it is obvious that other powerful as strength and stability of our Union, have essay you together. That these powerful causes eximent, is my fixed opinion; that they may propustions, touching, however remotely, the libeness of our country, will always be the object to the Supreme Author of all good.

In a government which is founded by the p sively the sovereignty, it seems proper that the by their suffrages in this high trust, should diducted the principles on which he intends to c If the person, thus elected, has served the precis afforded him to review its principal occurrent ther explanation respecting them, as in his judg constituents. The events of one year have influent in like manner, of a preceding on the success movements of a great nation are connected in have been committed, they ought to be corrected it ought to be supported. It is by a thorough subject that our fellow-citizens are enabled to just and to give a proper direction to the future.

and to give a proper direction to the future.

Just before the commencement of the last te concluded a war with a very powerful nation, on orable to both parties. The events of that we

prevent the recurrence of a like evil, and in case it should recur, to mitigate its calamities. With this view, after reducing our land force to the basis of a peace establishment, which has been further modified since, provision was made for the construction of fortifications at proper points, through the whole extent of our coast, and such an augmentation of our naval force, as should be well adapted to both purposes. The laws making this provision were passed in 1815 and '16, and it has been, since, the constant effort of the executive to carry them into effect.

The advantage of these fortifications, and of an augmented naval force. in the extent contemplated, in a point of economy, has been fully illustrated by a report of the board of engineers and naval commissioners. lately communicated to Congress, by which it appears that, in an invasion by twenty thousand men, with a correspondent naval force in a campaign of six months only, the whole expense of the construction of the works would be defrayed by the difference in the sum necessary to maintain the force which would be adequate to our defence with the aid of these works. and that which would be incurred without them. The reason of this difference is obvious. If fortifications are judiciously placed on our great inlets, as distant from our cities as circumstances will permit, they will form the only points of attack, and the enemy will be detained there by a small regular force, a sufficient time to enable our militia to collect, and repair to that on which the attack is made. A force adequate to the enemy, collected at that single point, with suitable preparation for such others as might be menaced, is all that would be requisite. But, if there were no fortifications, then the enemy might go where he pleased, and, changing his position, and sailing from place to place, our force must be called out and spread in vast numbers along the whole coast, and on both sides of every bay and river, as high up in each as it might be navigable for shipsof-war. By these fortifications, supported by our navy, to which they would afford like support, we should present to other powers an armed front from the St. Croix to the Sabine, which would protect, in the event of war, our whole coast and interior from invasion; and even in the wars of other powers, in which we were neutral, they would be found eminently useful, as, by keeping their public ships at a distance from our cities, peace and order in them would be preserved, and the government be protected from insult.

It need scarcely be remarked, that these measures have not been resorted to in a spirit of hostility to other powers. Such a disposition does not exist toward any power. Peace and good will have been, and will hereafter be, cultivated with all, and by the most faithful regard for justice. They have been dictated by a love of peace, of economy, and an earnest desire to save 'he lives of our fellow-citizens from that destruction, and our country from that devastation, which are inseparable from war, when it finds us unprepared for it. It is believed, and experience has shown, that such a preparation is the best expedient that can be resorted to, to prevent war. I add, with much pleasure, that considerable progress has already been made in these measures of defence, and that they will be completed in a few years, considering the great extent and importance of the object, if the plan be zealously and steadily persevered in.

The conduct of the government, in what relates to foreign powers always an object of the highest importance to the nation. Its agricul commerce, manufactures, fisheries, revenue, in short, its peace, may affected by it. Attention is, therefore, due to this subject.

At the period adverted to, the powers of Europe, after having boom

---- parties were entitled

This decision, the first made by any power, eration of the comparative strength and resor of time, and successful opposition made by circumstances on which it ought to depend, law of nations. Congress has invariably as made no change in our relations with eith therefore, been that of neutrality, between t tained with the strictest impartiality. No aic nor has any privilege been enjoyed by the one open to the other party, and every exertion h to enforce the execution of the laws prohibit equal rigor against both.

By this equality between the parties, their 1 ceived in our ports on the same footing; they to purchase and export arms, munitions of w the exportation of all articles whatever being ; were passed long before the commencement o have traded equally with both, and their come

alike protected by the government.

Respecting the attitude which it may be prop maintain hereafter between the parties, I have as my opinion, that the neutrality heretofore ob hered to. From the change in the government tion now depending, invited by the cortes and a may be presumed that their differences will be posed by the colonies. Should the war be con regarding its occurrences, will always have it in measures respecting it, as their honor and inter

Shortly after the general peace, a band of adv this conflict, and of the facility which it afforde buccaneering in the neighboring seas, to the gr merce of the United States, and, as was rep powers. Of this spirit, and of its injurious bea strong proofs were afforded by the establishment

cend the great purpose for which punishment is necessary. The full benefit of example being secured, policy, as well as humanity, equally forbids that they should be carried further. I have acted on this principle, pardoning those who appear to have been led astray by ignorance of the criminality of the acts they had committed, and suffering the law to take effect on those only, in whose favor no extenuating circumstances could

be urged.

Great confidence is entertained, that the late treaty with Spain, which has been ratified by both the parties, and the ratifications whereof have been exchanged, has placed the relations of the two countries on a basis of permanent friendship. The provision made by it for such of our citizens as have claims on Spain, of the character described, will, it is presumed, be very satisfactory to them, and the boundary which is established between the territories of the parties westward of the Mississippi, heretofore in dispute, has, it is thought, been settled on conditions just and advantageous to both. But to the acquisition of Florida too much importance can not be attached. It secures to the United States a territory important in itself, and whose importance is much increased by its bearing on many of the highest interests of the Union. It opens to several of the neighboring states a free passage to the ocean, through the province ceded, by several rivers, having their sources high up within their limits. It secures us against all future annoyance from powerful Indian tribes. It gives us several excellent harbors in the gulf of Mexico for ships-of-war of the largest size. It covers, by its position in the gulf, the Mississippi and other great waters within our extended limits, and thereby enables the United States to afford complete protection to the vast and very valuable productions of our whole western country, which find a market through those streams.

By a treaty with the British government, bearing date on the 20th October, 1818, the convention regulating the commerce between the United States and Great Britain, concluded on the 3d of July, 1815, which was about expiring, was revived and continued for the term of ten years from the time of its expiration. By that treaty, also, the differences which had arisen under the treaty of Ghent, respecting the right claimed by the United States for their citizens, to take and cure fish on the coast of his Britannic majesty's dominions in America, with other differences on important interests, were adjusted, to the satisfaction of both parties. No agreement has yet been entered into respecting the commerce between the United States and the British dominions in the West Indies and on this continent. The restraints imposed on that commerce by Great Britain, and reciprocated by the United States, on a principle of defence, continue still in force.

The negotiation with France for the regulation of the commercial relations between the two countries, which, in the course of the last summer, had been commenced at Paris, has since been transferred to this city, and will be pursued, on the part of the United States, in the spirit of conciliation, and with an earnest desire that it may terminate in an arrangement satisfactory to both parties.

Our relations with the Barbary powers are preserved in the same state, and by the same means, that were employed when I came into this office. As early as 1801, it was found necessary to send a squadron into the Mediterranean for the protection of our commerce, and no period has intervened, a short term excepted, when it was thought advisable to withdraw it. The great interest which the United States have in the Pacific,

defence, and in other improvements of variance conclusive proofs of this extraordinary is recollected, that these expenditures have then on the people, the direct tax and excisafter the conclusion of the late war, and the objects having been raised in a manner not to the therefore, remain untouched, for any purpointerests of the nation. For all such purpointerests of the nation. For all such purpointerests of our fellow-citizens, and in the devyield up, by any just measure of taxation, all the rights and honor of their country.

Under the present depression of prices, afl the country, and every branch of industry, plained on a former occasion, the revenue h the effect of which has been to compel Congr great measures of defence, or to resort to loans the deficiency. On the presumption that th ciency in the revenue arising from it, would authorized for the demands of the last and pro lieve my fellow-citizens in 1817, from every pensed with, and the state of the treasury pe the repeal of the internal taxes, knowing that liarly necessary, in consequence of the great war. I made that recommendation under a pl exigencies require a recurrence to them at an this trust, I would, with equal promptitude, per then be alike incumbent on me. By the expe be seen, by the next session of Congress, whe been so augmented as to be adequate to all Should the deficiency still continue, and espec that it would be permanent, the course to be p obvious. I am satisfied that, under certain c resorted to with great advantage I am ---

that internal duties and excises, with corresponding imposts on foreign articles of the same kind, would, without imposing any serious burdens on the people, enhance the price of produce, promote our manufactures, and augment the revenue, at the same time that they made it more secure and

The care of the Indian tribes within our limits has long been an essential part of our system; but unfortunately it has not been executed in a manner to accomplish all the objects intended by it. We have treated them as independent nations, without their having any substantial pretensions to that rank. The distinction has flattered their pride, retarded their improvement, and, in many instances, paved the way to their destruction. The progress of our settlements westward, supported as they are by a dense population, has constantly driven them back, with almost the total sacrifice of the lands which they have been compelled to abandon. They have claims on the magnanimity, and, I may add, on the justice of this nation, which we must all feel. We should become their real benefactors; we should perform the office of their great father, the endearing title which they emphatically give to the chief magistrate of our Union. Their sovereignty over territories should cease, in lieu of which, the right of soil should be secured to each individual and his posterity, in competent portions; and for the territory, thus ceded by each tribe, some reasonable equivalent should be granted, to be vested in permanent funds for the support of civil government over them, and for the education of their children, for their instruction in the arts of husbandry, and to provide sustenance for them until they could provide it for themselves. My earnest hope is, that Congress will digest some plan, founded on these principles, with such improvements as their wisdom may suggest, and carry it into effect as soon as it may be practicable.

Europe is again unsettled, and the prospect of war increasing. Should the flame light up in any quarter, how far it may extend it is impossible to foresee. It is our peculiar felicity to be altogether unconnected with the causes which produce this menacing aspect elsewhere. With every power we are in perfect amity, and it is our interest to remain so, if it be practicable on just conditions. I see no reasonable cause to apprehend variance with any power, unless it proceed from a violation of our maritime rights. In these contests, should they occur, and to whatever extent they may be carried, we shall be neutral; but, as a neutral power, we have rights which it is our duty to maintain. For like injuries, it will be incumbent on us to seek redress in a spirit of amity, in full confidence that, injuring none, none would knowingly injure us. For more imminent dangers we should be prepared, and it should always be recollected, that such preparation, adapted to the circumstances, and sanctioned by the judgment and wishes of our constituents, can not fail to have a good effect, in averting dangers of every kind. We should recollect, also, that the

season of peace is best adapted to these preparations.

If we turn our attention, fellow-citizens, more immediately to the internal concerns of our country, and more especially to those on which its future welfare depends, we have every reason to anticipate the happiest results. It is now rather more than forty-four years since we declared our independence, and thirty-seven since it was acknowledged. The talents and virtues which were displayed in that great struggle were a sure presage of all that has since followed. A people who were able to surmount, in their infant state, such great perils, would be more competent,

... ......... mere were distinct order. people governed in one assembly. a perpetual conflict between the orders i which the victory of either terminated in t and the ruin of the state. In the other, ir a body, and whose dominions seldom excee in one of our states, a tumultuous and disor a transitory existence. In this great nati of the people, whose power, by a peculis representative principle, is transferred from slightest degree their sovereignty, to bodies persons elected by themselves, in the ful purposes of free, enlightened, and efficient tem is elective, the complete sovereignty b officer, in every department, deriving his aut sible to, them for his conduct.

Our career has corresponded with this gre organization could not have been expected i tional or state governments, or in tracing the powers. But no serious conflict has arisen are managed by argument, and by a fair appe people; and many of the defects, which exi strated in both governments, have been removed this course, in this spirit, there is every reaswill soon attain the highest degree of perfec tions are capable, and that the movement, in such a degree of order and harmony, as to

respect of the civilized world.

Our physical attainments have not been years ago, the river Mississippi was shut 1 had no outlet for their commerce. What has time? The river has not only become the p from its source to the ocean, with all its tribu tion of the upper part of Red river only), bu liberal boundary on the western side

Entering, with these views, the office which I have just solemnly sworn to execute with fidelity, and to the utmost of my ability, I derive great satisfaction from a knowledge that I shall be assisted in the several departments by the very enlightened and upright citizens from whom I have received so much aid in the preceding term. With full confidence in the continuance of that candor and generous indulgence from my fellow-citizens at large, which I have heretofore experienced, and with a firm reliance on the protection of Almighty God, I shall forthwith commence the duties of the high trust to which you have called me.

### FIFTH ANNUAL MESSAGE.

DECEMBER 3, 1821.

To the Senate and House of Representatives of the United States :-

THE progress of our affairs since the last session has been such as may justly be claimed and expected under a government deriving all its powers from an enlightened people, and under laws formed by their representatives, on great consideration, for the sole purpose of promoting the welfare and happiness of their constituents. In the execution of those laws, and of the powers vested by the constitution in the executive, unremitted attention has been paid to the great objects to which they extend. In the concerns which are exclusively internal, there is good cause to be satisfied with the result. The laws have had their due operation and effect. In those relating to foreign powers, I am happy to state that peace and amity are preserved with all, by a strict observance on both sides of the rights of each. In matters touching our commercial intercourse, where a difference of opinion has existed as to the conditions on which it should be placed, each party has pursued its own policy, without giving just cause of offence to the other. In this annual communication, especially when it is addressed to a new Congress, the whole scope of our political concerns naturally comes into view, that errors, if such have been committed, may be corrected; that defects which have become manifest may be remedied; and on the other hand, that measures which were adopted on due deliberation, and which experience has shown are just in themselves and essential to the public welfare, should be persevered in and supported. In performing this necessary and very important duty, I shall endeavor to place before you, on its merits, every subject that is thought to be entitled to your particular attention, in as distinct and clear a light as I may be able.

By an act of the 3d of March, 1815, so much of the several acts as imposed higher duties on the tonnage of foreign vessels, and on the manufactures and productions of foreign nations, when imported into the United States in foreign vessels, than when imported in vessels of the United States, were repealed, so far as respected the manufactured productions of the nation to which such vessels belonged, on the condition that the repeal should take effect only in favor of any foreign nation, when the executive should be satisfied that such discriminating duties to the disadvantage of the United States had likewise been repealed by such nation. By this act, a proposition was made to all nations to place out the satisfied that such discriminating duties to the disadvantage of the United States had likewise been repealed by such nation. By this act, a proposition was made to all nations to place out the satisfied that such a proposition was presumed would be accepted to the disadvantage of the united States had likewise been repealed by such nation. By this act, a proposition was made to all nations to place out the disadvantage of the united States had likewise been repealed by such nation. By this act, a proposition was made to all nations to place out the disadvantage of the united States had likewise been repealed by such nation. By this act, a proposition was made to all nations to place out the disadvantage of the united States had likewise been repealed by such nation. Every nation

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other country was taken into view, it was would be considered fair, and even liberal, I of the United States consist generally of art: of rude materials in demand for foreign ma quiring for their transportation many vessel manufactures and productions of any foreign of there to advantage, may be brought in a tion is the more especially applicable to thos factures alone are imported, but it applies in pean dominions of every European power, at the colonies of those powers.

By placing, then, the navigation precisely transportation of exports and imports between countries, it was presumed that all was offer it seemed to be the only proposition which certain even the semblance of equality in our

Many considerations of great weight gave commerce should be extended to the colonies dominions of other powers. With the latte exclusively manufacturing, the advantage wa An indemnity for that loss was expected from and with the greater reason, as it was known colonies derived from us were of the higher labor being bestowed with so much greater p articles; and because, likewise, the articles of sisted, forming so large a proportion of the e were never admitted into any of the ports of great emergency, to avert a serious calamity. ted which is not required to supply the wants admitted then, not in favor of any particular co others, but on conditions equally applicable to articles thus admitted and invited should be ca the country affording such supply, and that the in a corresponding accommodation on the oth ciples, in regard to her European dominions. To her colonies, however, in the West Indies and on this continent, it was not extended, the British government claiming the exclusive supply of those colonies, and from our own ports, and of the productions of the colonies in return in her own vessels. To this claim the United States could not assent, and in consequence, each party suspended the intercourse in the vessels of the other,

by a prohibition which still exists.

The same conditions were offered to France, but not accepted. Her government has demanded other conditions more favorable to her navigation, and which should also give extraordinary encouragement to her manufactures and productions in ports of the United States. To these it was thought improper to accede, and in consequence, the restrictive regulations which had been adopted on her part, being countervailed on the part of the United States, the direct commerce between the two countries, in the vessels of each party, has been in a great measure suspended. It is much to be regretted, that although a negotiation has been long pending, such is the diversity of views entertained on the various points which have been brought into discussion, that there does not appear to be any

reasonable prospect of its early conclusion.

It is my duty to state, as a cause of very great regret, that very serious differences have occurred in this negotiation, respecting the construction of the eighth article of the treaty of 1803, by which Louisiana was ceded to the United States, and likewise respecting the seizure of the Apollo, in 1820, for a violation of our revenue laws. The claim of the government of France has excited not less surprise than concern, because there does not appear to be a just foundation for it in either instance. By the eighth article of the treaty referred to, it is stipulated that, after the expiration of twelve years, during which time it was provided by the seventh or preceding article that the vessels of France and Spain should be admitted into the ports of the ceded territory without paying higher duties on merchandise, or tonnage on the vessels, than such as were paid by citizens of the United States, the ships of France should for ever afterward be placed on the footing of the most favored nation. By the obvious construction of this article, it is presumed that it was intended that no favor should be granted to any power, in those ports, to which France should not be forthwith entitled; nor should any accommodation be allowed to another power, on conditions to which she would not also be entitled on the same conditions. Under this construction, no favor or accommodation could be granted to any power to the prejudice of France. By allowing the equivalent allowed by those powers, she would always stand in those ports on the footing of the most favored nation. But if this article should be so construed as that France should enjoy, of right, and without paying the equivalent, all the advantages of such conditions as might be allowed to other powers, in return for important concessions made by them, then the whole character of the stipulations would be changed. She would not only be placed on the footing of the most favored nation, but on a footing held by no other nation. She would enjoy all the advantages allowed to to them, in consideration of like advantages allowed to us, free from every and any condition whatever.

As little cause has the government of France to complain of the solute of the Apollo, and the removal of other vessels from the waters. Mary's. It will not be denied that every nation has a right with the commercial system as it thinks fit, and to enforce the collection.

goods at the customhouse, according to la in the vessel of such power, or of some ot bring them, free from such duties, to a por conduct of the party in this case was altog river St. Mary's, the boundary line between and took his position on the Spanish side, of the river, there was no town, no port or settlement. His purpose, therefore, was, I habitants of Florida, but to citizens of the I their productions, which could not be done breach of our laws. It is known that a ref formed by certain persons for the violation made it the more necessary to check the I

That the unsettled bank of a river so reme and population could give no protection to as believed to be in strict accord with the law o comported with a friendly policy of Spain 1: customhouse there, since it could have sub to elude our revenue law. But the goven that measure. On the contrary, it is understo Cuba, to whom an application to that effect w ers, had not acceded to it. The condition c years, before they were ceded to the United ! on. Inhabited by different tribes of Indians, of adventurers, the jurisdiction of Spain may exclusively confined to her garrisons. It cert ces where she had no authority. The rules tled countries governed by laws, could not be Florida and to the occurrences there. It n territory had then been ceded to the United cation of which had not been refused, and whi Under any circumstances, therefore, Spain such acts committed there -- 3

given for the release of the vessel which had been seized, and for the dismission of the libel which had been instituted against her.

The principles of this system of reciprocity, founded on the law of the 3d of March, 1815, have been since carried into effect with the kingdoms of the Netherlands, Sweden, Prussia, and with Hamburg, Bremen, Lubeck, and Oldenburg, with a provision made by subsequent laws in regard to the Netherlands, Prussia, Hamburg, and Bremen, that such produce and manufactures as could only be, or most usually were, first shipped from the ports of those countries, the same being imported in vessels wholly belonging to their subjects, should be considered and admitted as their own manufactures and productions.

The government of Norway has, by an ordinance, opened the ports of that part of the dominions of the king of Sweden to the vessels of the United States, upon the payment of no other or higher duties than are paid by Norwegian vessels, from whatever place arriving, and with whatever articles laden. They have requested the reciprocal allowance for the vessels of Norway in the ports of the United States. As this privilege is not within the scope of the act of the 3d of March, 1815, and can only be granted by Congress, and as it may involve the commercial relations of the United States with other nations, the subject is submitted to the wisdom of Congress.

I have presented thus fully to your view our commercial relations with other powers, that, seeing them in detail with each power, and knowing the basis on which they rest, Congress may in its wisdom decide whether any change ought to be made, and if any, in what respect. If this basis is unjust or unreasonable, surely it ought to be abandoned; but if it be just and reasonable, and any change in it will make concessions subversive of equality, and tending in its consequences to sap the foundations of our prosperity, then the reasons are equally strong for adhering to the ground already taken, and supporting it by such further regulations as may appear to be proper, should any additional support be found necessary.

The question concerning the construction of the first article of the treaty of Ghent, has been, by a joint act of the representatives of the United States and of Great Britain, at the court of St. Petersburg, submitted to the decision of his imperial majesty, the emperor of Russia. The result of that submission has not yet been received. The commissioners under the fifth article of that treaty not having been able to agree upon their decision, their reports to the two governments, according to the provisions of the treaty, may be expected at an early day.

With Spain, the treaty of February 22d, 1819, has been partly carried into execution. Possession of East and West Florida has been given to the United States, but the officers charged with that service, by an order from his catholic majesty, delivered by his minister to the secretary of state, and transmitted by a special agent to the captain-general of Cuba, to whom it was directed, and in whom the government of those provinces was vested, have not only omitted, in contravention of the order of their sovereign, the performance of the express stipulation to deliver over the archives and documents relating to the property and sovereignty of those provinces, all of which it was expected would have been delivered, either before or when the troops were withdrawn, but defeated, since of the United States to obtain them, especially those of the United States to obtain them, especially those of

From the intrinsic difficulty of executing laws deriving their origin from different sources, and so essentially different in many important circumstances, the advantage, and indeed the necessity, of establishing, as soon as may be practicable, a well-organized government over that territory, on the principles of our system, is apparent. This subject is there-

fore recommended to the early consideration of Congress.

In compliance with an injunction of the law of the 3d of March last, three commissioners have also been appointed, and a board organized, for carrying into effect the eleventh article of the treaty above recited, making provision for the payment of such of our citizens as have well-founded claims on Spain, of the character specified by that treaty. This board has entered on its duties, and made some progress therein. The commissioner and surveyor of his catholic majesty, provided for by the fourth article of the treaty, have not yet arrived in the United States, but are soon expected. As soon as they do arrive, corresponding appointments will be made, and every facility be afforded for the due execution of this service.

The government of his most faithful majesty, since the termination of the last session of Congress, has been removed from Rio de Janeiro to Lisbon, where a revolution, similar to that which had occurred in the neighboring kingdom of Spain, had in like manner been sanctioned by the accepted and pledged faith of the reigning monarch. The diplomatic intercourse between the United States and the Portuguese dominions, interrupted by that important event, has not been resumed, but the change of internal administration having already materially affected the commercial intercourse of the United States with the Portuguese dominions, the renewal of the public missions between the two countries appears to be desirable at an early day.

It is understood that the colonies in South America have had great success, during the present year, in the struggle for their independence. The new government of Colombia has extended its territories, and considerably augmented its strength; and at Buenos Ayres, where civil dissensions had for some time before prevailed, greater harmony and better order appeared to have been established. Equal success has attended their efforts in the provinces on the Pacific. It has long been manifest that it would be impossible for Spain to reduce these colonies by force, and equally so that no conditions short of their independence would be satisfactory to them. It may therefore be presumed, and it is earnestly hoped, that the government of Spain, guided by enlightened and liberal councils, will find it to comport with its interests, and due to its magnanimity, to terminate this exhausting controversy on that basis. To promote this result, by friendly counsel with the government of Spain, will be the object of the government of the United States.

In conducting the fiscal operations of the year, it has been found necessary to carry into full effect the act of the last session of Congress authorizing a loan of five millions of dollars. This sum has been raised at an average premium of five dollars fifty-nine hundredths per centum, upon stock bearing an interest at the rate of five per cent. per annum, redeemable, at the option of the government, after the first day of January, one thousand eight hundred and thirty-five.

There has been issued, under the provisions of this act, four millions seven hundred and thirty-five thousand two hundred and ninety-six dollars thirty cents, of five per cent. stock; and there has been, or will be deemed during the year, three nillions one hundred and ninety-seven

tour hundred and sixty-one dollars twent the former day, make the aggregate sum ( dred and seventeen thousand six hundred a one cents.

The payments from the treasury during to fifteen millions six hundred and fifty-fi eighty-eight dollars forty-seven cents, leave mentioned day, the sum of one million seve sand three hundred and seventy dollars fort that the receipts of the fourth quarter of the which will be made on the treasury during amount in the treasury on the 30th of Septe. the first day of January next.

At the close of the last session, it was ant diminution of the public revenue in 1819 an result of the larguid state of our foreign con the latter year reached its extreme point of d been ascertained that that point was reached first quarter of the present year. From that t ber last, the duties secured have exceeded quarters of the last year, one million one hu sand dollars; while the amount of debentures, quarters of this year, is nine hundred and fift than that of the same quarters of the last year

There are just grounds to believe that the curred in the revenue, during the last-mention maintained, but that it will progressively inconversal succeeding years, so as to realize the ed upon that subject, by the official reports of mencement of the last session of Congress.

Under the influence of the most unfavorable for the next and subsequent years, to the year mands at present authorized by law.

It may fairly be presumed, that under the

an extent to meet any demand which under a fair competition may be made on it.

A considerable increase of domestic manufactures, by diminishing the importation of foreign, will probably tend to lessen the amount of the public revenue. As, however, a large proportion of the revenue which is derived from duties is raised from other articles than manufactures, the demand for which will increase with our population, it is believed that a fund will still be raised from that source adequate to the greater part of the national expenditures, especially as those expenditures, should we continue to be blessed with peace, will be diminished by the completion of the fortifications, dock-yards, and other public works; but the augmentation of the navy to the point to which it is proposed to carry it; and by the payment of the public debt, including pensions for military services.

It can not be doubted that the more complete our internal resources, and the less dependent we are on foreign powers for every national as well as domestic purpose, the greater and more stable will be the public felicity. By the increase of domestic manufactures will the demand for the rude materials at home be increased, and thus will the dependence of the several parts of our Union on each other, and the strength of the Union itself, be proportionably augmented. In this process, which is very desirable and inevitable under the existing duties, the resources which obviously present themselves to supply a deficiency in the revenue, should it occur, are the interests which may derive the principal benefit from the change. If domestic manufactures are raised by duties on foreign, the deficiency in the fund necessary for public purposes should be supplied by duties on the former. At the last session it seemed doubtful whether the revenue derived from the present sources would be adequate to all the great purposes of our Union, including the construction of our fortifications, the augmentation of our navy, and the protection of our commerce against the dangers to which it is exposed. Had the deficiency been such as to subject us to the necessity either to abandon those measures of defence or to resort to other means for adequate funds, the cause presented to the adoption of a virtuous and enlightened people appeared to be a plain one. It must be gratifying to all to know that this necessity does not exist. Nothing, however, in contemplation of such important objects, which can be easily provided for, should be left to hazard. It is thought that the revenue may receive an augmentation from the existing sources, and in a manner to aid our manufactures, without hastening prematurely the result which has been suggested. It is believed that a moderate additional duty on certain articles would have that effect, without being liable to any serious objection.

The examination of the whole coast, for the construction of permanent fortifications, from St. Croix to the Sabine, with the exception of part of the territory lately acquired, will be completed in the present year, as will be the survey of the Mississippi under the resolution of the house of representatives, from the mouth of the Ohio to the ocean, and likewise of the Ohio, from Louisville to the Mississippi. A progress corresponding with the sums appropriated has also been made in the construction of these fortifications at the points designated. As they will form a system of defence for the whole maritime frontier, and in consequence for the interior, and are to last for ages, the utmost care has been taken to fix the position each work, and to form it on such a scale as will be adequate to the pose intended by it. All the inlets and assailable parts of our Union.

to the extent of existing appropriations. act of 1820 have all been completed, and a of the larger ships have been or will be I ject being to protect all which may not be from decay, by suitable buildings erected been maintained, as heretofore, in the Me peace has been preserved with the Barbar been reduced the present year to as small the fulfilment of the object intended by it. best information respecting the views of understood that should our squadron be w. commence their hostilities and depredation fortifications have been lately rebuilt and th It has also been found necessary to maintain for the protection of the very important inter in commerce and the fisheries in that sea. employed in cruising along the Atlantic coa. the coast of Africa, and in the neighboring piracies have been committed on our commer coming the range of those unprincipled adver to apprehend, without a timely and decisive worst consequences would ensue. Fortunate been given to that spirit by our cruisers, who and destroying several of their vessels. New object of high importance to continue these ( entirely suppressed. Like successes have at the slave-trade. Under the flag of the United their papers, the trade may be considered a any of our citizens are engaged in it under the powers, it is only from a respect to the rights offenders are not seized and brought home which the laws inflict. If every other power cy, and pursue the same vigorous means for trade could no longer exist.

#### SIXTH ANNUAL MESSAGE.

#### DECEMBER 3, 1822.

## Fellow-Citizens of the Senate and House of Representatives :-

Many causes unite to make your present meeting peculiarly interesting to our constituents. The operation of our laws on the various subjects to which they apply, with the amendments which they occasionally require, imposes annually an important duty on the representatives of a free people. Our system has happily advanced to such maturity that I am not aware that your cares in that respect will be augmented. Other causes exist which are highly interesting to the whole civilized world, and to no portion of it more so, in certain views, than to the United States. Of these causes, and of their bearing on the interests of our Union, I shall communicate the sentiments which I have formed with that freedom which a sense of duty dictates. It is proper, however, to invite your attention in the first instance to those concerns respecting which legislative provision is thought to be particularly urgent.

On the 24th of June last, a convention of navigation and commerce was concluded in this city between the United States and France, by ministers duly authorized for the purpose. The sanction of the executive having been given to this convention under a conviction that, taking all its stipulations into view, it rested essentially on a basis of reciprocal and equal advantage, I deemed it my duty, in compliance with the authority vested in the executive by the second section of the act of the last session, of the 6th of May, concerning navigation, to suspend by proclamation, until the end of the next session of Congress, the operation of the act entitled, "An act to impose a new tonnage duty on French ships and vessels, and for other purposes," and to suspend, likewise, all other duties on French vessels, or the goods imported in them, which exceeded the duties on American vessels, and on similar goods imported in them. I shall submit this convention forthwith to the senate for its advice and consent as to the ratification.

Since your last session, the prohibition which had been imposed on the commerce between the United States and the British colonies, in the West Indies and on this continent, has likewise been removed. Satisfactory evidence having been adduced that the ports of those colonies had been opened to the vessels of the United States by an act of the British parhament, bearing date on the 24th of June last, on the conditions specified therein, I deemed it proper, in compliance with the provision of the first section of the act of the last session above recited, to declare, by proclamation bearing date the 24th of August last, that the ports of the United States should thenceforward and until the end of the next session of Congress, be open to the vessels of Great Britain employed in that trade, under the limitation specified in that proclamation.

A doubt was entertained whether the act of Congress applied to the British colonies on this continent as well as to those in the West Indies, but as the act of parliament opened the intercourse equally with both, and it was the manifest intention of Congress, as well as the obvious policy of the United States, that the provisions of the act of parliament should be met in equal extent on the part of the United States, and as also act of Congress was supposed to vest in the president some discretions.

meet the propositions of each with a liberal: the interest of our country would be most course has been systematically pursued in France and Great Britain, and in strict accord lature. A confident hope is entertained tha commenced with each, all differences respectively with the dominions in question will be adjuilaid for an active and permanent intercourse wantageous to both parties.

The decision of his imperial majesty, the question submitted to him by the United Stat cerning the construction of the first article a been received. A convention has since been ties, under the mediation of his imperial majes by which that article shall be carried into eff decision. I shall submit this convention to the consent as to the ratification, and if obtained, a subject before Congress for such provisions as

tion of the legislature.

In compliance with an act of the last sessio has been established in Florida on the principle act, the inhabitants are secured in the full enjc liberties, and to admission into the Union, with government with the original states, on the c scribed to other territories. By a clause in the with Spain, by which that territory was ceded stipulated that satisfaction shall be made for the process of law shall be established to have been officers and individual Spanish inhabitants by troops in Florida. No provision having yet been ulation into effect, it is submitted to the consider it will not be proper to vest the competent power Pensacola, or in some tribunal to be specially or The fiscal operations of the year have been

treasury on the first day of January last), a sum exceeding four millions one hundred and twenty-eight thousand dollars.

Besides discharging all demands for the current service of the year, including the interest and the reimbursement of the public debt, the six per cent. stock of 1796, amounting to eighty thousand dollars, has been redeemed. It is estimated that, after defraying the current expenses of the present quarter, and redeeming the two millions of six per cent. stock of 1820, there will remain in the treasury, on the first day of January next, nearly three millions of dollars. It is estimated that the gross amount of duties which have been secured, from the 1st of January to the 30th of September last, has exceeded nineteen millions five hundred thousand dollars, and the amount for the whole year will probably not fall short of twenty-three millions of dollars.

Of the actual force in service under the present military establishment, the posts at which it is stationed, and the condition of each post, a report from the secretary of war, which is now communicated, will give a distinct idea. By like reports, the state of the academy at West Point will be seen, as will be the progress which has been made on the fortifications along the coasts, and at the public armories and arsenals.

The position on the Red river, and that at the Sault of St. Marie, are the only new posts that have been taken. These posts, with those already occupied in the interior, are thought to be well adapted to the protection of our frontiers. All the force not placed in the garrisons along the coast and in the ordnance dépôts, and indispensably necessary there, is placed on the frontiers.

The organization of the several corps composing the army is such as to admit its expansion to a great extent in case of emergency, the officers carrying with them all the light which they possess to the new corps to which they might be appointed.

With the organization of the staff there is equal cause to be satisfied. By the concentration of every branch with its chief in this city, in the presence of the department, and with a grade in the chief military station to keep alive and cherish a military spirit, the greatest promptitude in the execution of orders, with the greatest economy and efficiency, are secured. The same view is taken of the military academy. Good order is preserved in it, and the youth are well instructed in every science connected with the great objects of the institution. They are also well trained and disciplined in the practical parts of the profession. It has always been found difficult to control the ardor inseparable from that early age in such manner as to give it a proper direction. The rights of manhood are too often claimed prematurely, in pressing which too far, the respect which is due to age and the obedience necessary to a course of study and instruction in every such institution, are sometimes lost sight of. The great object to be accomplished is the restraint of that ardor by such wise regulations and government as, by directing all the energies of the youthful mind to the attainment of useful knowledge, will keep it within a just subordination and at the same time elevate it to the highest purposes. This object seems to be essentially obtained in this institution, and with great advantage to the Union.

The military academy forms the basis, in regard to science, on which the military establishment rests. It furnishes examination, and on the report of the academic states to fill the vacancies which occur in the academic states.

force is small, should the instruction and resource on which we rely, be pushed to stances will admit.

A report from the secretary of the navy which has been made in the constructic interesting details respecting the actual state. It has been found necessary, for the protectain the usual squadrons in the Mediterran Atlantic coast, extending the cruises of t where piracy, organized into a system, ha every country trading thither. A cruise ha coast of Africa, when the season would per elave-trade; and orders have been given to lic ships to seize our own vessels, should trade, and to bring them in for adjudication.

In the West Indies piracy is of a recent cause why other powers have not combined communicated, it will be seen that the effort press it have had a very salutary effect. Thact, under which the protection has been ext of other nations, can not fail to be duly appre

In compliance with the act of last session the United States' trading establishments," a pointed, and inequated, under the direction ory, to close the business of the trading-house to settle the accounts of the factors and suband to execute, in all other respects, the injurprescribed therein. A final report of their protected to Congress as soon as it is received.

It is with regret I have to state that a seriof many valuable citizens at Pensacola, and of those arrangements which are important thas been sensibly felt in respect to the India consisting of the remnants of several with

was prevented by the distressing malady referred to. To carry it fully into effect, in either mode, additional funds will be necessary, to the provision of which, the powers of Congress alone are competent. With a view to such provisions as may be deemed proper, the subject is submitted to your consideration, and in the interim further proceedings are suspended.

It appearing that so much of the act entitled, "An act regulating the staff of the army," which passed on the 14th of April, 1818, as relates to the commissariat, will expire in April next, and the practical operation of that department having evinced its great utility, the propriety of its renewal is

submitted to your consideration.

The view which has been taken of the probable productiveness of the lead mines, connected with the importance of the material to the public defence, makes it expedient that they should be managed with peculiar care. It is therefore suggested, whether it will not comport with the public interest to provide by law for the appointment of an agent skilled in mineralogy to superintend them, under the direction of the proper department.

It is understood that the Cumberland road, which was constructed at a great expense, has already suffered from the want of that regular superintendence and of those repairs which are indispensable to the preservation of such a work. This road is of incalculable advantage in facilitating the intercourse between the western and the Atlantic states. Through it, the whole country, from the northern extremity of Lake Erie to the Mississippi, and from all the waters which empty into each, finds an easy and direct communication to the seat of government, and thence to the Atlantic. The facility which it affords to all military and commercial operations, and also to those of the postoffice department, can not be estimated too highly. This great work is likewise an ornament and an honor to the nation. Believing that a competent power to adopt and execute a system of internal improvement has not been granted to Congress, but that such a power, confined to great national purposes, and with proper limitations, would be productive of eminent advantage to our Union. I have thought it advisable that an amendment of the constitution to that effect should be recommended to the several states. A bill which assumed the right to adopt and execute such a system, having been presented for my signature at the last session, I was compelled, from the view which I had taken of the powers of the general government, to negative it, on which occasion I thought it proper to communicate the sentiments which I had formed, on mature consideration, on the whole subject. To that communication, in all the views in which the great interest to which it relates may be supposed to merit your attention, I have now to refer. Should Congress, however, deem it improper to recommend such an amendment, they have, according to my judgment, the right to keep the road in repair, by providing for the superintendence of it, and appropriating the money necessary for repairs. Surely, if they had a right to appropriate money to make the road, they have a right to appropriate it to preserve the road from ruin. From the exercise of this power no danger is to be apprehended. Under our happy system, the people are the sole and exclusive fountain of power. Each government originates from them, and to them alone, each to its proper constituents, are they respectively and solely responsible for the faithful discharge of their duty, within their constitutional limits. the people will confine their public agents, of every station, to line of their constitutional duties, there is no cause to doubt

whatever may be the abstract doctrine in provided all nations would concur in it rupted by war, which has never occurre there are other strong reasons applicab with other countries, which impose on us sustain our manufactures. Satisfied, how terest of every part of our Union, even of factures, requires that this subject should caution, and a critical knowledge of the slightest change. On full consideration of I am persuaded that a further augmentation on certain foreign articles, in favor of our triously any other interest. For more precommunications which were made to Cong

So great was the amount of accounts for late war, in addition to others of a previous erations of the government necessarily rema a considerable length of time for their adju the accounts then unsettled amounted to or sixty-eight thousand eight hundred and sev cents, of which, on the 30th of September of millions one hundred and seventy-five thouse six dollars and fifty-six cents had been settle ance unsettled of nine millions eight hund four hundred and seventy-nine dollars and have been drawn from the treasury, in payin ing the government in all its operations and of March, 1817, one hundred and fifty-sev ninety thousand three hundred and eighty de accounts for which have been settled to the thirty-seven millions five hundred and one th one dollars and twelve cents; leaving a bala ions six hundred and ninety-acres th

progress has been made, under existing appropriations, in the construction of fortifications and in the operation of the ordnance department; that due progress has in like manner been made in the construction of ships-of-war; that our navy is in the best condition, felt and respected in every sea in which it is employed for the protection of our commerce; that our manufactures have augmented in amount and improved in quality; that great progress has been made in the settlement of accounts, and in the recovery of the balances due by individuals; and that the utmost economy is secured and observed in every department of the administration.

Other objects will likewise claim your attention; because, from the station which the United States hold, as a member of the great community of nations, they have rights to maintain, duties to perform, and dangers to encounter.

A strong hope was entertained that peace would, ere this, have been concluded between Spain and the independent governments south of the United States in this hemisphere. Long experience having evinced the competency of those governments to maintain the independence which they had declared, it was presumed that the considerations which induced their recognition by the United States would have had equal weight with other powers, and that Spain herself, yielding to those magnanimous feelings of which her history furnishes so many examples, would have terminated, on that basis, a controversy so unavailing, and at the same time so destructive. We still cherish the hope that this result will not long be

postponed.

Sustaining our neutral position, and allowing to each party, while the war continues, equal rights, it is incumbent on the United States to claim of each, with equal rigor, the faithful observance of our rights, according to the well-known law of nations. From each, therefore, a like co-operation is expected in the suppression of the piratical practice which has grown out of this war, and the blockades of extensive coasts on both seas, which, considering the small force employed to sustain them, have not the

slightest foundation to rest on.

Europe is still unsettled, and although the war long menaced between Russia and Turkey has not broken out, there is no certainty that the differences between those powers will be amicably adjusted. It is impossible to look to the oppressions of the country, respecting which those differences arose, without being deeply affected. The mention of Greece fills the mind with the most exalted sentiments, and arouses in our bosoms the best feelings of which our nature is susceptible. Superior skill and refinement in the arts, heroic gallantry in action, disinterested patriotism, enthusiastic zeal and devotion in favor of public and personal liberty, are associated with our recollections of ancient Greece. That such a country should have been overwhelmed and so long hidden, as it were, from the world, under a gloomy despotism, has been a cause of unceasing and deep regret to generous minds for ages past. It was natural, therefore, that the reappearance of those people in their original character, contending in favor of their liberties, should produce that great excitement and sympathy in their favor which have been so signally displayed throughout the United States. A strong hope is entertained that these people will recover their independence, and resume their equal station among the nations of the

A great effort has been made in Spain and Portugal to improve the condition of the people, and it must be very consoling to all benevolent minds

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to see the extraordinary moderation with which it has been conducted. That it may promote the happiness of both nations is the ardent wish this whole people, to the expression of which we confine ourselves; whatever may be the feelings or sentiments which every individual und our government has a right to indulge and express, it is nevertheless a scred maxim, equally with the government and people, that the destiny every independent nation, in what relates to such improvements, of right

belongs and ought to be left exclusively to themselves.

Whether we reason from the late wars, or from those menacing sym toms which now appear in Europe, it is manifest, that if a convulsion show take place in any of those countries, it will proceed from causes whi have no existence and are utterly unknown in these states, in which the is but one order, that of the people, to whom the sovereignty exclusive belongs. Should war break out in any of those countries, who can for tell the extent to which it may be carried, or the desolation which it m spread? Exempt as we are from these causes, our internal tranquillity secure; and distant as we are from the troubled scene, and faithful to fi principles in regard to other powers, we might reasonably presume the we should not be molested by them. This, however, ought not to be concluded on as certain. Unprovoked injuries are often inflicted, and every contract the contract of t the peculiar felicity of our situation might, with some, be a cause for e citement and aggression. The history of the late wars in Europe furnis es a complete demonstration that no system of conduct, however corre in principle, can protect neutral powers from injury from any party; th a defenceless position and distinguished love of peace are the surest im tations to war; and that there is no way to avoid it other than by bein always prepared, and willing for a just cause to meet it. If there be people on earth whose more especial duty it is to be at all times prepare to defend the rights with which they are blessed, and to surpass all othe pensive; that war will always find them unprepared, and whatever may be its calamities, that its terrible warnings will be disregarded and forgotten as soon as peace returns. I have full confidence that this charge, so far as relates to the United States, will be shown to be utterly destitute of truth.

### SEVENTH ANNUAL MESSAGE.

# DECEMBER 2, 1823.

To the Senate and House of Representatives of the United States:-

Many important subjects will claim your attention during the present session, of which I will endeavor to give, in aid of your deliberations, a just idea in this communication. I undertake this duty with diffidence, from the vast extent of the interests on which I have to treat, and of their great importance to every part of our Union. I enter on it with zeal, from a thorough conviction that there never was a period, since the establishment of our revolution, when, regarding the condition of the civilized world, and its bearings on us, there was greater necessity for devotion in the public servants to their respective duties, or for virtue, patriotism, and union, in our constituents.

Meeting in you a new Congress, I deem it proper to present this view of public affairs in greater detail than might otherwise be necessary. I do it, however, with peculiar satisfaction, from a knowledge that in this respect I shall comply more fully with the sound principles of our government. The people being with us exclusively the sovereigns, it is indispensable that full information be laid before them on all important subjects, to enable them to exercise that high power with complete effect. If kept in the dark, they must be incompetent to it. We are all liable to error. and those who are engaged in the management of public affairs are more subject to excitement, and to be led astray by their particular interests and passions, than the great body of our constituents, who, being at home in the pursuit of their ordinary avocations, are calm but deeply-interested spectators of events, and of the conduct of those who are parties to them. To the people every department of the government, and every individual in each, are responsible, and the more full their information, the better they can judge of the wisdom of the policy pursued and of the conduct of each in regard to it. From their dispassionate judgment, much aid may be always obtained, while their approbation will form the greatest incentive and most gratifying reward for virtuous actions, and the dread of their censure the best security against the abuse of their confidence. Their interests, in all vital questions, are the same, and the bond, by sentiment as well as by interest, will be proportionably strengthened as they are better informed of the real state of public affairs, especially in difficult conjunctures. It is by such knowledge that local prejudices and jealousies are surmounted. and that a national policy, extending its fostering care and protection to all the great interests of our Union, is formed and steadily adhered to.

A precise knowledge of our relations with foreign powers, as respects our negotiations and transactions with each, is thought to be particularly necessary. Equally necessary is it that we should form a just estimate of our resources, revenue, and progress in every kind of improvement con-

great delay and much inconvenience to itsel by this government, and acceded to by that to establish that boundary by amicable neglong experience, that no satisfactory arrange commercial intercourse between the United S in this hemisphere by legislative acts, while course without agreement or concert with the made to the British government to regulate the been to arrange, in like manner, the just United States, inhabiting the states and territ and rivers which empty into the St. Lawren river to the ocean. For these and other objeinterests of both parties, a negotiation has begovernment, which it is hoped will have a sat

The commissioners under the sixth and s of Ghent, having successfully closed their lab have proceeded to the discharge of those rela progress in the extensive survey required for duties, justifies the presumption that it will be

year.

The negotiation which had long been deper ernment on several important subjects, and demnity for losses sustained in the late wars States, under unjustifiable seizures and confisc not as yet had the desired effect. As this clai ciple with others which have been admitted it is not perceived on what just ground it can will be immediately appointed to proceed to F gotiation on this and other subjects which n nations.

At the proposal of the Russian imperial governinister of the emperor residing here, a full pubeen transmitted to the minister of the United Sarrange, by amicable negotiation the second state of the second s

of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by

Since the close of the last session of Congress, the commissioners and arbitrators for ascertaining and determining the amount of indemnification which may be due to citizens of the United States, under the decision of his imperial majesty the emperor of Russia, in conformity to the convention concluded at St. Petersburgh on the 12th of July, 1822, have assembled in this city, and organized themselves as a board for the performance of the duties assigned to them by that treaty. The commission constituted under the eleventh article of the treaty of the 22d of February, 1819, between the United States and Spain, is also in session here; and as the term of three years, limited by the treaty for the execution of the trust, will expire before the period of the next regular meeting of Congress, the attention of the legislature will be drawn to the measures which may be necessary to accomplish the objects for which the commission was instituted.

In compliance with a resolution of the house of representatives, adopted at their last session, instructions have been given to all the ministers of the United States, accredited to the powers of Europe and America, to propose the proscription of the African slave-trade, by classing it under the denomination, and inflicting on its perpetrators the punishment of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to, from the firm belief that it is the most effectual expedient that can be adopted for the purpose.

At the commencement of the recent war between France and Spain, it was declared by the French government that it would grant no commissions to privateers, and that neither the commerce of Spain herself, nor of neutral nations, should be molested by the naval force of France, except in the breach of a lawful blockade. This declaration, which appears to have been faithfully carried into effect, concurring with principles proclaimed and cherished by the United States from the first establishment of their independence, suggested the hope that the time had arrived when the proposal for adopting it as a permanent and invariable rule in all future maritime wars might meet the favorable consideration of the great European powers. Instructions have accordingly been given to our ministers with France, Russia, and Great Britain, to make those proposals to their respective governments; and when the friends of humanity reflect on the essential amelioration to the condition of the human race which would result from the abolition of private war on the sea, and on the great facility by which it might be accomplished, requiring only the consent of a few sovereigns, an earnest hope is indulged that these overtures will meet with an attention animated by the spirit in which they were made, and that they will ultimately be successful.

The ministers who were appointed to the republics of Colombia and Buenos Ayres, during the last session of Congress, proceeded shortly afterward to their destinations. Of their arrival there official intelligence has not yet been received. The minister appointed to the republic of Chili will sail in a few days. An early appointment will also be made at Mexico. A minister has been received from Colombia, and the officernments have been informed that ministers, or diplomatic agent.

rior grade, would be received from each, accordingly as they might prefer the one or the other.

The minister appointed to Spain proceeded, soon after his appointment for Cadiz, the residence of the sovereign to whom he was accredited. approaching that port, the frigate which conveyed him was warned off by the commander of the French squadron by which it was blockaded, and not permitted to enter, although apprized by the captain of the frigate of the public character of the person whom he had on board, the landing of whom was the sole object of his proposed entry. This act being considered an infringement of the rights of ambassadors and of nations, will form a just cause of complaint to the government of France against the officer

by whom it was committed.

The actual condition of the public finances more than realizes the favorable anticipations that were entertained of it at the opening of the last session of Congress. On the first of January, there was a balance in the treasury of four millions two hundred and thirty seven thousand four hundred and twenty-seven dollars and fifty-five cents. From that time to the 30th of September, the receipts amounted to upward of sixteen millions one hundred thousand dollars, and the expenditures, to eleven millions four hundred thousand dollars. During the fourth quarter of the year it is estimated that the receipts will at least equal the expenditures, and that there will remain in the treasury, on the first day of January next, a surplus of nearly nine millions of dollars.

On the first of January, 1825, a large amount of the war debt and a part of the revolutionary debt become redeemable. Additional portions of the former will continue to become redeemable annually, until the year 1835. It is believed, however, that, if the United States remain at peace, the whole of that debt may be redeemed by the ordinary revenue of those years during that period under the provision of the act of March 3d, 1817, erepline and instruction equal, as is believed, to any institution of its kind

in any country.

The money appropriated for the use of the ordnance department has been regularly and economically applied. The fabrication of arms at the national armories, and by contract with the department, has been gradually improving in quality and cheapness. It is believed that their quality is now such as to admit of but little improvement.

The completion of the fortifications renders it necessary that there should be a suitable appropriation for the purpose of fabricating the can-

non and carriages necessary for those works.

Under the appropriation of five thousand dollars for exploring the western waters for the location of a site for a western armory, a commission was constituted, consisting of Colonel McRee, Colonel Lee, and Captain Talcott, who have been engaged in exploring the country. They have not yet reported the result of their labors, but it is believed that they will be prepared to do it at an early part of the session of Congress.

During the month of June last, General Ashley and his party, who were trading under a license from the government, were attacked by the Ricarees, while peaceably trading with the Indians at their request. Several of the party were killed and wounded, and their property taken or de-

stroved

Colonel Leavenworth, who commanded Fort Atkinson, at the Council Bluff, the most western post, apprehending that the hostile spirit of the Ricarees would extend to other tribes in that quarter, and that thereby the lives of the traders on the Missouri, and the peace of the frontier, would be endangered, took immediate measures to check the evil.

With a detachment of the regiment stationed at the Bluff, he successfully attacked the Ricaree village, and it is hoped that such an impression has been made on them, as well as on the other tribes of the Missouri, as

will prevent a recurrence of future hostility.

The report of the secretary of war, which is herewith transmitted, will exhibit in greater detail the condition of the department in its various branches, and the progress which has been made in its administration

during the first three quarters of the year.

I transmit a return of the militia of the several states, according to the last reports which have been made by the proper officers in each, to the department of war. By reference to this return it will be seen that it is not complete, although great exertions have been made to make it so. As the defence and even the liberties of the country must depend in times of imminent danger on the militia, it is of the highest importance that it be well organized, armed, and disciplined, throughout the Union. The report of the secretary of war shows the progress made during the first three quarters of the present year, by the application of the fund appropriated for arming the militia. Much difficulty is found in distributing the arms according to the act of Congress providing for it, from the failure of the proper department in many of the states to make regular returns. act of May the 12th, 1820, provides that the system of tactics and regulations of the various corps of the regular army shall be extended to the This act has been very imperfectly executed from the want of uniformity in the organization of the militia, proceeding from the defects of the system itself, and especially in its application to the main the public defence. It is thought that this important subject, in branches, merits the attention of Congress.

augmented by the addition of several sna act authorizing an additional naval force passed by Congress at their last session, nently successful in the accomplishment which our commerce in the neighborhood afflicted have been repressed, and the cogreat measure restored.

The patriotic zeal and enterprise of C command of the expedition was confided, l officers and men under his command. An faction on the honorable manner in which t tion of their country and its navy, the secondary that, in the fulfilment of that ards dent to the season, and to the climate in a deprived the nation of many useful lives, an

cers of great promise.

In the month of August, a very malignan: Thompson's island, which threatened the de Many perished, and the commanding officer certain as to his fate, and knowing that mo been rendered incapable of discharging their dient to send to that post an officer of rank a skilful surgeons, to ascertain the origin of the its recurrence there in future seasons; to fur who were suffering, and, if practicable, to ave ing so important a station. Commodore I which did him honor, cheerfully accepted the in the manner anticipated from his skill and val, Commodore Porter, with the greater part from the island and returned to the United & prevailing sickness. Much useful informat tained, as to the state of the island, and grea had been necessarily left there.

Although our expedition. co-operating with

authority to make satisfaction for our just complaints, answered only by a reference of them to the government of Spain. The minister of the United States to that court was specially instructed to urge the necessity of the immediate and effectual interposition of that government, directing restitution and indemnity for wrongs already committed, and interdicting the repetition of them. The minister, as has been seen, was debarred access to the Spanish government, and in the meantime several new cases of flagrant outrage have occurred, and citizens of the United States in the island of Porto Rico have suffered, and other have been threatened with assassination, for asserting their unquestionable rights, even before the lawful tribunals of the country.

The usual orders have been given to all our public ships to seize American vessels engaged in the slave-trade, and bring them in for adjudication; and I have the gratification to state that not one so employed has been discovered, and there is good reason to believe that our flag is now seldom, if at all, disgraced by that traffic.

It is a source of great satisfaction that we are always enabled to recur to the conduct of our navy with pride and commendation. As a means of national defence, it enjoys the public confidence, and is steadily assuming additional importance. It is submitted whether a more efficient and equally economical organization of it might not, in several respects, be effected. It is supposed that higher grades than now exist by law would be useful. They would afford well-merited rewards to those who have long and faithfully served our country; present the best incentives to good conduct, and the best means of insuring a proper discipline; destroy the inequality in that respect between the military and naval services; and relieve our officers from many inconveniences and mortifications which occur when our vessels meet those of other nations—ours being the only service in which such grades do not exist.

A report of the postmaster-general, which accompanies this communication, will show the present state of the postoffice department and its gen-

eral operations for some years past.

There is established by law, eighty-eight thousand six hundred miles of postroads, on which the mail is now transported eighty-five thousand seven hundred miles; and contracts have been made for its transportation on all the established routes, with one or two exceptions. There are five thousand two hundred and forty postoffices in the Union, and as many The gross amount of postage which accrued from the first of July, 1822, to the first of July, 1823, was one million one hundred and fourteen thousand three hundred and forty-five dollars and twelve cents. During the same period, the expenditures of the postoffice department amounted to one million one hundred and sixty-nine thousand eight hundred and eighty-five dollars and fifty-one cents; and consisted of the following items: compensation to postmasters, three hundred and fifty-three thousand nine hundred and ninety-five dollars and eighty-eight cents; incidental expenses, thirty thousand eight hundred and sixty-six dollars and thirty-seven cents; transportation of the mail, seven hundred and eightyfour thousand six hundred dollars and eight cents; payments into the treasury, four hundred and twenty-three dollars and eight cents. On the first of July last, there was due to the department, from postmasters, one hundred and thirty-five thousand two hundred and forty-five dollars and twenty-eight cents; from late postmasters and contractors, two hundre and fifty-six thousand seven hundred and forty-nine dollars and thirty-a

fallen short of the expenditures two hundred a hundred and twenty-one dollars and forty-six tions have been made from the outstanding ba part of the current demands.

It is estimated that not more than two hur lars of the above balances can be collected, of this sum can only be realized by a resort to provement in the receipts for postage is expect the collection of moneys received by postmast ble the department to continue its operations we unless the expenditures shall be increased be mail routes.

A revision of some parts of the postoffice is it is submitted whether it would not be proper ment of postmasters, where the compensation by nomination to the senate, as other officers are appointed.

Having communicated my views to Congress
the last session, respecting the encouragement
our manufactures, and the principle on which it
only to add that those views remain unchanged
of those countries with which we have the mo
tions and greatest commercial intercourse, tend
this impression I recommend a review of the
affording such additional protection to those artic
to manufacture, or which are more immediately
and independence of the country.

The actual state of the public accounts furnia the efficiency of the present system of account public expenditure. Of the moneys drawn from 4th of March, 1817, the sum remaining unacc September last, is more than one million five hur than on the 30th of September preceding; and reduction of nearly a million of dollars has be the unsettled accounts for more than the unsettled accounts for the unsettled accounts for more than the unsettled accounts for

to superintend it. As soon as it is received it shall be communicated to

Congress.

Many patriotic and enlightened citizens, who have made the subject an object of particular investigation, have suggested an improvement of still greater importance. They are of opinion that the waters of the Chesapeake and Ohio may be connected together by one continued canal, and at an expense far short of the value and importance of the object to be obtained. If this could be accomplished, it is impossible to calculate the beneficial consequences which would result from it. A great portion of the produce of the very fertile country through which it would pass would find a market through that channel. Troops might be moved with great facility in war, with cannon and every kind of munition, and in either direction. Connecting the Atlantic with the western country, in a line passing through the seat of the national government, it would contribute essentially to strengthen the bond of union itself. Believing as I do that Congress possess the right to appropriate money for such a national object (the jurisdiction remaining to the states through which the canal would pass), I submit it to your consideration whether it may not be advisable to authorize, by an adequate appropriation, the employment of a suitable number of the officers of the corps of engineers, to examine the unexplored ground during the next session, and to report thereon. It will likewise be proper to extend their examination to the several routes through which the waters of the Ohio may be connected by canals with those of Lake Erie.

As the Cumberland road will require annual repairs, and Congress have not thought it expedient to recommend to the states an amendment to the constitution for the purpose of vesting in the United States a power to adopt and execute a system of internal improvement, it is also submitted to your consideration whether it may not be expedient to authorize the executive to enter into an arrangement with the several states through which the road passes, to establish tolls, each within its limits, for the purpose of defraying the expense of future repairs, and of providing, also,

by suitable penalties, for its protection against future injuries.

The act of Congress of the 7th of May, 1822, appropriated the sum of twenty-two thousand seven hundred dollars, for the purpose of erecting two piers as a shelter for vessels from ice, near Cape Henlopen, Delaware bay. To effect the object of the act, the officers of the board of engineers, with Commodore Bainbridge, were directed to prepare plans and estimates of piers sufficient to answer the purpose intended by the act. It appears by their report, which accompanies the documents from the war department, that the appropriation is not adequate to the purpose intended; and as the piers would be of great service, both to the navigation of the Delaware bay, and the protection of vessels on the adjacent parts of the coast, I submit for the consideration of Congress, whether additional and sufficient appropriations should not be made.

The board of engineers were also directed to examine and survey the entrance of the harbor of the port of Presque Isle in Pennsylvania, in order to make an estimate of the expense of removing the obstructions to the entrance, with a plan of the best mode of effecting the same, under the appropriation for that purpose, by act of Congress passed on the 3d of March last. The report of the board accompanies the papers war department, and is submitted for the consideration of Congress

A strong hope has long been entertained, founded on the horne

of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers which would, ere this, have overwhelmed any other people. The ordinary calculations of interest, and of acquisition, with a view to aggrandizement, which mingles so much in the transactions of nations, seem to have had no effect in regard to them. From the facts which have come to our knowledge, there is good cause to believe that their enemy has lost, for ever, all dominion over them; that Greece will become again an independent nation. That she may obtain that rank is the object of our most ardent wishes.

It was stated, at the commencement of the last session, that a great effort was then making in Spain and Portugal, to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded or seriously menaced, that we resent injuries or make preparation for our defence. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied

powers should have thought it proper, on a principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. what extent such interposition may be carried, on the same principle, is a question to which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the goverment, de facto, as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course.

If we compare the present condition of our Union with its actual state at the close of our revolution, the history of the world furnishes no example of a progress in improvement, in all the important circumstances which constitute the happiness of a nation, which bears any resemblance to it. At the first epoch our population did not exceed three millions. By the last census it amounted to about ten millions, and what is more extraordinary, it is almost altogether native, for the immigration from other countries has been inconsiderable. At the first epoch half the territory within our acknowledged limits was uninhabited and a wilderness. Since then, new territory has been acquired, of vast extent, comprising within it many rivers, particularly the Mississippi, the navigation of which to the ocean was of the highest importance to the original states. Over this territory our population has expanded in every direction, and new states have been established, almost equal in number to those which formed the first bond of our Union. This expansion of our population and accession of new states to our Union, have had the happiest effect on all its highest interests. That it has eminently augmented our resources, and added to our strength and respectability as a power, is admitted by all. But it is not in these important circumstances only that this happy effect is felt. It is manifest that, by enlarging the basis of our system, and increasing the number of states, the system itself has been greatly strengthened in both its branches. Consolidation and disunion have thereby been rendered equally impracticable. Each government, confiding in its own strength, has less to apprehend from the other; and in consequence, each enjoying a greater freedom of action, is rendered more efficient for all the purposes for which it was instituted. It is unnecessary to treat here of the vast improvement made in the system itself by the adoption of this constitution, and of happy effect in elevating the character, and in protecting the rights of nation, as well as of individuals. To what then do we owe these bl

sings? It is known to all that we derive them from the excellence of our institutions. Ought we not then to adopt every measure which may be necessary to perpetuate them.

## SPECIAL MESSAGE.

FEBRUARY 24, 1824.

To the Senate and House of Representatives of the United States :-

I HEREWITH transmit to Congress certain documents relating to a claim of Massachusetts for services rendered by the military of that state in the late war, and for which the payment was made by the state. From the particular circumstances attending this claim, I have thought it proper to

submit the subject to the consideration of Congress.

In forming a just estimate of this claim, it will be necessary to recur to the cause which prevented its admission, or the admission of any part thereof, at an earlier day. It will be recollected, that when a call was made on the militia of that state for service, in the late war, under an arrangement which was alike applicable to the militia of all the states, and in conformity with the acts of Congress, the executive of Massachusetts refused to comply with the call, on the principle that the power vested in Congress by the constitution, to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, was not a competent power for those purposes, but conditional, and dependent on the consent of the executives of the several states; and also, that when called into service, such consent being given, they could not be commanded

chusetts has hitherto been suspended, and it need not be remarked that the suspension has proceed from a conviction that it would be improper to give any sanction by its admission, or the admission of any part thereof, either to the construction of the constitution contended for by the then executive of that state, or to its conduct at that period toward the general

government and the Union.

In January, 1823, the representatives in Congress from Massachusetts and Maine suggested, by memorial, that the constitutional objection could not apply to a portion of the claim, and requested that the accounting officer of the government might be instructed to audit and admit such part as might be free from that objection. In all cases where claims are presented for militia service, it is the duty and the practice of the accounting officer to submit them to the department for instruction as to the legality of the claim; that is, whether the service had been rendered by order of the competent authority, or otherwise, under circumstances to justify the claim against the United States, admitting that the evidence in support of it should be satisfactory. To this request there appeared to be no well-founded objection, under the reservation as to the constitutional principle, and accordingly an order was given to the accounting officers of the treasury to proceed in auditing the claim with that reservation.

In conformity with this arrangement, the executive of Massachusetts appointed two citizens of that state commissioners to attend to the settlement of its claim, and who, in execution of the trust reposed in them, have presented to the accounting officer of the treasury that portion comprehending the services of the fifth division of the militia of the state, which has been audited and reported for consideration, subject to the objection above stated. I have examined this report, with the documents presented by the commissioners, and am of opinion that the services rendered by that division were spontaneous, patriotic, and proper, necessary for self-defence, to repel in some instances actual invasion, and in others, to meet by adequate preparation invasions that were menaced. The commissioners of the state having intimated that other portions of service stood on similar ground, the accounting officer has been instructed, in auditing the whole, to do it in such manner as to enable the department to show distinctly under what circumstances each portion of service was rendered—whether voluntary, called out by invasion, or the menace of invasion, or by public authority; and in such case, whether the militia rendering such service was placed under the authority of the United States, or retained under that of the state.

It affords me great pleasure to state that the present executive of Massachusetts has disclaimed the principle which was maintained by the former executive, and that in this disclaimer both branches of the legislature have concurred. By this renunciation, the state is placed on the same ground, in this respect, with the other states, and this very distressing anomaly in our system is removed. It is well known that the great body of our fellow-citizens in Massachusetts are as firmly devoted to our Union, and to the free republican principles of our government, as our fellow-citizens of the other states. Of this important truth their conduct in every stage of our revolutionary struggle, and in many other emergencies, bears ample testimony and I add, with profound interest and a thorough conviction the difficulty adverted to, in the late war, with their exequal surprise and regret, it was not believed to extend to never was a moment when the confidence of the government body of our fellow-citizens of that state was impoired, nor is

tained that they were at all times willing and ready to support their rights

and repel an invasion by the enemy.

The commissioners of Massachusetts have urged, in compliance with their instructions, the payment of so much of their claim as applies to the services rendered to the fifth division, which have been audited, and I should have no hesitation in admitting it if I did not think, under all the circumstances of the case, that the claim in all its parts was cognizable by Congress The period at which the constitutional difficulty was raised by the executive of the state was in the highest degree important, as was the tendency of the principle for which it contended, and which was adhered to during the war. The public mind throughout the Union was much excited by that occurrence, and great solicitude was felt as to its consequences. The executive of the United States was bound to maintain, and did maintain a just construction of the constitution; in doing which, it is gratifying to recollect that the most friendly feelings were cherished toward their brethren of that state. The executive of the state was warned, in the correspondence which then took place, of the light in which its conduct was viewed, and of the effect it would have, so far as related to the right of the executive of the United States, on any claim which might afterward be presented by the state to compensation for such services. Under these circumstances, the power of the executive of the United States to settle any portion of this claim seems to be precluded. It seems proper, also, that this claim should be decided on full investigation before the public, that the principle on which it is decided may be thoroughly understood by our fellow-citizens of every state, which can be done by Congress alone; who alone, also, possess the power to pass the laws which may be necessary to carry such decision into effect.

In submitting this subject to the calm and enlightened judgment of Congress, I do it with peculiar satisfaction, from a knowledge that you are now

I have been led to conclude, on great consideration, that the principles of justice, as well as a due regard for the great interests of our Union, require that this claim, in the extent proposed, should be acceded to. tial service was rendered, in the late war, by the militia of Massachusetts, and with the most patriotic motives. It seems just, therefore, that they should be compensated for such services, in like manner with the militia of other states. The constitutional difficulty did not originate with them, and has now been removed. It comports with our system to look to the service rendered and to the intention with which it was rendered, and to award the compensation accordingly, especially as it may now be done without the sacrifice of principle. The motive, in this instance, is the stronger, because well satisfied I am, that by so doing we shall give the most effectual support to our republican institutions. No latent cause of discontent will be left behind. The great body of the people will be gratified, and even those who now survive, who were then in error, can not fail to see with interest and satisfaction this distressing occurrence thus happily terminated. I therefore consider it my duty to recommend it to Congress to make provision for the settlement of the claim of Massachusetts for services rendered in the late war by the militia of the state, in conformity with the rules which have governed in the settlement of the claims for services rendered by the militia of the other states.

### EIGHTH ANNUAL MESSAGE.

DECEMBER 7, 1824.

To the Senate and House of Representatives of the United States:-

THE view which I have now to present to you, of our affairs, foreign and domestic, realizes the most sanguine anticipations which have been entertained of the public prosperity. If we look to the whole, our growth as a nation continues to be rapid beyond example; if to the states which compose it, the same gratifying spectacle is exhibited. Our expansion over the vast territory within our limits has been great, without indicating any decline in those sections from which the emigration has been most conspicuous. We have daily gained strength by a native population in every quarter-a population devoted to our happy system of government, and cherishing the bond of Union with fraternal affection. Experience has already shown, that the difference of climate and of industry, proceeding from that cause, inseparable from such vast domains, and which, under other systems, might have a repulsive tendency, can not fail to produce with us, under wise regulations, the opposite effect. What one portion wants the other may supply, and this will be most sensibly felt by the parts most distant from each other; forming, thereby, a domestic market, and an active intercourse between the extremes and throughout every portion of our Union. Thus, by a happy distribution of power between the national and state governments, governments which rest exclusively on the sovereignty of the people and are fully adequate to the great purposes for which they were respectively instituted, causes which might otherwise lead to dismemberment operate powerfully to draw us closer together. In every other circumstances, a correct view of the actual state of our Union must be equally gratifying to our constituents. Our relations with foreign Vol. I.—30

powers are of a friendly character, although certain interesting differences remain unsettled with some. Our revenue, under the mild system of impost and tonnage, continues to be adequate to all the purposes of the government. Our agriculture, commerce, manufactures, and navigation, flourish. Our fortifications are advancing, in the degree authorized by existing appropriations, to maturity, and due progress is made in the augmentation of the navy to the limit prescribed for it by law. For these blessings we owe to Almighty God, from whom we derive them, and with profound reverence, our most grateful and unceasing acknowledgments.

In adverting to our relations with foreign powers, which are always an object of the highest importance, I have to remark, that of the subjects which have been brought into discussion with them during the present administration, some have been satisfactorily terminated, others have been suspended to be resumed hereafter under circumstances more favorable to success, and others are still in negotiation, with the hope that they may be adjusted with mutual accommodation to the interests and to the satisfaction of the respective parties. It has been the invariable object of this government to cherish the most friendly relations with every power, and on principles and conditions which might make them permanent. A systematic effort has been made to place our commerce with each power on a footing of perfect reciprocity; to settle with each, in a spirit of candor and liberality, all existing differences, and to anticipate and remove, so far as it might be practicable, all causes of future variance.

It having been stipulated by the same article of the convention of navigation and commerce, which was concluded on the 24th of June, 1822, between the United States and France, that the said convention should continue in force for two years, from the 1st of October of that year, and for an indefinite term afterward, unless one of the parties should declare its intention to renounce it, in which event it should cease to operate at the end of six

of their respective claims were removed. An earnest desire exists, and has been manifested on the part of this government, to place the commerce with the colonies, likewise, on a footing of reciprocal advantage, and it is hoped that the British government, seeing the justice of the proposal, and

its importance to the colonies, will ere long accede to it.

The commissioners who were appointed for the adjustment of the boundary between the territories of the United States and those of Great Britain, specified in the fifth article of the treaty of Ghent, having disagreed in their decision, and both governments having agreed to establish that boundary, by amicable negotiation between them, it is hoped that it may be satisfactorily adjusted in that mode. The boundary specified by the sixth article has been established by the decision of the commissioners. From the progress made in that provided for by the seventh, according to a report recently received, there is good cause to presume that it will be

settled in the course of the ensuing year.

It is a cause of serious regret that no arrangement has yet been finally concluded between the two governments, to secure, by joint co-operation, the suppression of the slave-trade. It was the object of the British government, in the early stages of the negotiation, to adopt a plan for the suppression, which should include the concession of a mutual right of search, by the ships-of-war of each party, of the vessels of the other for suspected This was objected to by this government, on the principle that, offenders. as the right of search was the right of war of a belligerent toward a neutral power, it might have an ill effect to extend it by treaty, to an offence which had been made comparatively mild, to a time of peace. Anxious, however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the house of representatives, founded on an act of Congress, to propose to the British government an expedient which should be free from that objection, and more effectual for the object, by making it piratical. In that mode, the enormity of the crime would place the offenders out of the protection of their government, and involve no question of search, or other question, between the parties, touching their respective rights. It was believed, also, that it would completely suppress the trade in the vessels of both the parties, and by their respective citizens and subjects in those of other powers, with whom, it was hoped, that the odium which would thereby be attached to it would produce a corresponding arrangement, and by means thereof, its entire extirpation for ever. A convention to this effect was concluded and signed in London, on the thirteenth day of March, one thousand eight hundred and twenty-four, by plenipotentiaries duly authorized by both governments, to the ratification of which certain obstacles have arisen which are not yet entirely removed. The differences between the parties still remaining have been reduced to a point not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near to the hearts of both nations, and so desirable to the friends of humanity throughout the world. As objections, however, to the principle recommended by the house of representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised; which may deserve a reconsideration of the whole subject, I have thought it proper to suspend the conclusion of a new convention until the definitive sentiments. gress may be ascertained. The documents relating to the negoti with that intent submitted to your consideration.

Our commerce with Sweden has been placed on a footing

reciprocity by treaty, and with Russia, the Netherlands, Prussia, the free Hanseauc cities, the dukedom of Oldenburg, and Sardinia, by internal regulations on each side, founded on mutual agreement between the re-

spective governments.

The principles upon which the commercial policy of the United States is founded are to be traced to an early period. They are essentially connected with those upon which their independence was declared, and owe their origin to the enlightened men who took the lead in our affairs at that important epoch. They are developed in their first treaty of commerce with France, of the 6th of February, 1778, and by a formal commission which was instituted immediately after the conclusion of their revolutionary struggle, for the purpose of negotiating treaties of commerce with every European power. The first treaty of the United States with Prussia, which was negotiated by that commission, affords a signal illustration of those principles. The act of Congress of the 3d of March, 1815, adopted immediately after the return of a general peace, was a new overture to foreign nations to establish our commercial relations with them on the basis of free and equal reciprocity. That principle has pervaded all the acts of Congress and all the negotiations of the executive on the subject since.

A convention for the settlement of important questions in relation to the northwest coast of this continent and its adjoining seas, was concluded and signed at St. Petersburgh, on the 5th day of April last, by the minister plenipotentiary of the United States and plenipotentiaries of the imperial government of Russia. It will immediately be laid before the senate, for the exercise of the constitutional authority of that body with reference to its ratification. It is proper to add, that the manner in which this negotiation was invited and conducted on the part of the emperor has been

very satisfactory.

The great and extraordinary changes which have happened in the gov-

ing. With the republic of Colombia, a treaty of commerce has been formed, of which a copy is received, and the original daily expected. A negotiation for a like treaty would have been commenced with Buenos Ayres, had it not been prevented by the indisposition, and lamented decease, of Mr. Rodney, our minister there, and to whose memory the most respectful attention has been shown by the government of that republic. An advantageous alteration in our treaty with Tunis has been obtained by our consular agent residing there, the official documents of which, when received, will be laid before the senate.

The attention of this government has been drawn with great solicitude to other subjects, and particularly to that relating to a state of maritime war, involving the relative rights of neutral and belligerent in such wars. Most of the difficulties which we have experienced, and of the losses which we have sustained, since the establishment of our independence, have proceeded from the unsettled state of those rights, and the extent to which the belligerent claim has been carried against the neutral party. It is impossible to look back on the occurrences of the late wars in Europe, and to behold the disregard which was paid to our rights as a neutral power, and the waste which was made of our commerce by the parties to those wars, by various acts of their respective governments, and under the pretext by each that the other had set the example, without great mortification, and a fixed purpose never to submit to the like in future. An attempt to remove those causes of possible variance by friendly negotiation, and on just principles which would be applicable to all parties, could, it was presumed, be viewed by none, other than as a proof of an earnest desire to preserve those relations with every power. In the late war between France and Spain, a crisis occurred in which it seemed probable that all the controvertible principles involved in such wars might be brought into discussion and settled to the satisfaction of all parties. Propositions having this object in view have been made to the governments of Great Britain, France, Russia, and of other powers, which have been received in a friendly manner by all; but as yet no treaty has been formed with either for its accomplish-The policy will, it is presumed, be persevered in, and in the hope that it may be successful.

It will always be recollected that, with one of the parties to those wars, and from whom we received those injuries, we sought redress by war. From the other, by whose then reigning government our vessels were seized in port as well as at sea, and their cargoes confiscated, indemnity has been expected, but has not yet been rendered. It was under the influence of the latter that our vessels were likewise seized by the governments of Spain, Holland, Denmark, Sweden, and Naples, and from whom indemnity has been claimed and is still expected, with the exception of Spain, by whom it has been rendered. With both parties we had abundant cause of war, but we had no alternative but to resist that which was most powerful at sea, and pressed us nearest at home. With this, all differences were settled by a treaty, founded on conditions fair and honorable to both, which has been so far executed with perfect good faith. It has been earnestly hoped that the other would, of its own accord, and from a sentiment of justice and conciliation, make to our citizens the indemnity to which they are entitled, and thereby remove from our relations any just cause of discontent on our side.

It is estimated that the receipts in the treasury, during the current yearclusive of loans, will exceed eighteen millions five hundred thousand

dollars; which, with the sum remaining in the treasury at the end of the last year, amounting to nine millions four hundred and sixty-three thousand nine hundred and twenty-two dollars eighty-one cents, will, after discharging the current disbursements of the year, the interest on the public debt, and upward of eleven millions six hundred and thirty-three thousand and eleven dollars fifty-two cents of the principal, leave a balance of more than three millions dollars in the treasury on the 1st day of January next.

A larger amount of the debt contracted during the late war, bearing an interest of six per cent, becoming redeemable in the course of the ensuing year, than could be discharged by the ordinary revenue, the act of the 26th of May authorized a loan of five millions of dollars, at four and a half per cent., to meet the same. By this arrangement an annual saving will accrue

to the public of seventy-five thousand dollars.

Under the act of the 24th of May last, a loan of five millions of dollars was authorized, in order to meet the awards under the Florida treaty, which was negotiated at par with the Bank of the United States, at four and a half per cent., the limit of interest fixed by the act. By this provision the claims of our citizens, who had sustained so great a loss by spoliations, and from whom indemnity had been so long withheld, were promptly paid. For these advances the public will be amply repaid, at no distant day, by the sale of the lands in Florida. Of the great advantage resulting from the acquisition of the territory in other respects, too high an estimate can not be formed.

It is estimated that the receipts into the treasury, during the year 1825, will be sufficient to meet the disbursements of the year, including the sum of ten millions of dollars which is annually appropriated by the act constituting the sinking fund, for the payment of the principal and interest of the public debt.

The whole amount of the public debt, on the 1st of January next, may be

to one hundred and twenty-three millions four hundred and ninety-one thousand nine hundred and sixty-five dollars and sixteen cents; and notwithstanding the large sums which have been applied to these objects, it has been reduced, since that period, thirty-seven millions four hundred and forty-six thousand nine hundred and sixty-one dollars and seventy-eight The last portion of the public debt will be redeemable on the 1st of January, 1835; and while there is the best reason to believe that the resources of the government will be continually adequate to such portion of it as may become due in the interval, it is recommended to Congress to seize every opportunity which may present itself to reduce the rate of interest on every part thereof. The high state of the public credit, and the great abundance of money, are at this time very favorable to such a result. It must be very gratifying to our fellow-citizens to witness this flourishing state of the public finances, when it is recollected that no burden whatever has been imposed upon them.

The military establishment, in all its branches, in the performance of the various duties assigned to each, justifies the favorable view which was presented of the efficiency of its organization at the last session. All the appropriations have been regularly applied to the object intended by Congress, and so far as the disbursements have been made, the accounts have been rendered and settled without loss to the public. The condition of the army itself, as relates to the officers and men, in science and discipline, is highly respectable. The military academy, on which the army essentially rests, and to which it is much indebted for this state of improvement, has attained, in comparison with any other institution of a like kind, a high degree of perfection. Experience, however, has shown, that the dispersed condition of the corps of artillery is unfavorable to the discipline of that important branch of the military establishment. To remedy this inconvenience, eleven companies have been assembled at the fortifications erected at Old Point Comfort as a school for artillery instruction, with intention, as they shall be perfected in the various duties of that service, to order them to other posts, and to supply their places with other companies, for instruction in like manner. In this mode a complete knowledge of the science and duties of this arm will be extended throughout the whole corps of artillery. But to carry this object fully into effect will require the aid of Congress, to obtain which the subject is now submitted to your consideration.

Of the progress which has been made in the construction of fortifications for the permanent defence of our maritime frontier, according to the plan decided on, and to the extent of the existing appropriations, the report of the secretary of war, which is herewith communicated, will give a detailed account. Their final completion can not fail to give great additional security to that frontier, and to diminish proportionably the expense of defending it in the event of war.

The provisions in the several acts of Congress of the last session, for the improvement of the navigation of the Mississippi and the Ohio, of the harbor of Presque isle on Lake Erie, and the repair of the Plymouth beach, are in a course of regular execution; and there is reason to believe that the appropriation in each instance will be adequate to the object. carry these improvements fully into effect, the superintendence of them has been assigned to officers of the corps of engineers.

Under the act of the 30th April last, authorizing the president to cause a survey to be made, with the necessary plans and estimates of such

roads and canals as he might deem of national importance in a commercial or military point of view, or for the transportation of the mail, a board has been instituted, consisting of two distinguished officers of the corps of engineers, and a distinguished civil engineer, with assistants, who have been actively employed in carrying into effect the objects of the act. They have carefully examined the route between the Potomac and the Ohio rivers; between the latter and Lake Erie; between the Allegany and the Susquehannah; and the routes between the Delaware and the Raritan. Barnstable and Buzzard's bay, and between Boston harbor and Narraganset bay. Such portions of the corps of topographical engineers as could be spared from the survey of the coast, has been employed in surveying the very important route between the Potomac and the Ohio. Considerable progress has been made in it, but the survey can not be completed until the next season. It is gratifying to add, from the view already taken, that there is good cause to believe that this great national object may be fully accomplished.

It is contemplated to commence early in the next season the execution of the other branch of the act, that which relates to roads, and with the survey of a route from this city, through the southern states, to New Orleans, the importance of which can not be too highly estimated. All the officers of both the corps of engineers, who could be spared from other services, have been employed in exploring and surveying the routes for canals. To digest a plan for both objects for the great purposes specified, will require a thorough knowledge of every part of our Union, and of the relation of each part to the others, and of all to the seat of the general government. For such a digest, it will be necessary that the information be full, minute, and precise. With a view to these important objects, I submit to the consideration of Congress the propriety of enlarging both the corps of engineers, the military, and topographical. It need scarcely be

but measures have been taken, and all the preparations will be completed to accomplish it at an early period next season.

Believing that the hostility of the tribes, particularly on the upper Mississippi and the lakes, is in no small degree owing to the wars which are carried on between the tribes residing in that quarter, measures have been taken to bring about a general peace among them, which, if successful, will not only tend to the security of our citizens, but be of great advantage to the Indians themselves.

With the exception of the tribes referred to, our relations with all the others are on the most friendly footing, and it affords me great satisfaction to add, that they are making steady advances in civilization and the improvement of their condition. Many of the tribes have already made great progress in the arts of civilized life. This desirable result has been brought about by the humane and persevering policy of the government, and particularly by means of the appropriation for the civilization of the Indiana. There have been established under the provisions of this act, thirty-two schools, containing nine hundred and sixteen scholars who are well instructed in several branches of literature, and likewise in agriculture and the ordinary arts of life.

Under the appropriation to authorize treaties with the Creek and Quapaw Indians, commissioners have been appointed and negotiations are now pending, but the result is not yet known.

For more full information respecting the principle which has been adopted for carrying into effect the act of Congress authorizing surveys, with plans and estimates for canals and roads, and on every other branch of duty incident to the department of war, I refer you to the report of the

The squadron in the Mediterranean has been maintained in the extent which was proposed in the report of the secretary of the navy of the last year, and has afforded to our commerce the necessary protection in that sea. Apprehending, however, that the unfriendly relations which have existed between Algiers and some of the powers of Europe might be extended to us, it has been thought expedient to augment the force there; and, in consequence, the "North Carolina," a ship-of-the-line, has been

prepared and will sail in a few days to join it.

The force employed in the gulf of Mexico, and in the neighboring seas, for the suppression of piracy, has likewise been preserved essentially in the state in which it was during the last year. A persevering effort has been made for the accomplishment of that object, and much protection has thereby been afforded to our commerce; but still the practice is far from being suppressed. From every view which has been taken on the subject. it is thought that it will be necessary rather to augment than to diminish our force in that quarter. There is reason to believe that the piracies now complained of are committed by bands of robbers who inhabit the land, and who, by preserving good intelligence with the towns, and seizing favorable opportunities, rush forth and fall on unprotected merchant vessels, of which they make an easy prey. The pillage thus taken they carry to their lurking places, and dispose of afterward at prices tending to seduce the neighboring population. This combination is understood to be of great extent, and is the more to be deprecated, because the crime of piracy is often attended with the murder of the crews, these robbers knowing, if any survived, their lurking places would be exposed and they be caught and punished. That this atrocious practice should be carried to

with orders to return thence by the usual tri seize any of our vessels which may be engage been found, and it is believed that none ar known, however, that the trade exists under

The health of our squadron, while at Thon better during the present than it was the last: have been made, and others are contemplated will have a very salutary effect.

On the Pacific our commerce has much in well as on that sea, the United States have ma require attention and protection. It is thoug which suggested the expediency of placing a with augmented force for maintaining it there

For detailed information respecting the state each sea, the improvement necessary to be mation of the naval establishment generally, and ernment, I refer you to the report of the secutor herewith communicated.

The revenue of the postoffice department augmentation in the present year. The curre expenditures, although the transportation of the been much increased. A report of the postma mitted, will furnish in detail the necessary infor istration and present state of this department.

In conformity with a resolution of Congress tion was given to General Lafayette to visit assurance that a ship-of-war should attend at a might designate, to receive and convey him ac it might be convenient for him to sail. He deship from motives of delicacy, but assured me the would certainly visit our Union in the course of gust last he arrived at New York, where he would affection and gratitude to which his very important said assertifices in our revolutionary strains.

believed, was never witnessed, because none could be founded on purer principles—none proceed from higher or more disinterested motives. the feelings of those who had fought and bled with him in a common cause should have been much excited, was natural. There are, however, circumstances attending these interviews which pervaded the whole community. and touched the breasts of every age, even the youngest among us. There was not an individual present who had not some relative who had not partaken in those scenes, nor an infant who had not heard the relation of them. But the circumstance which was most sensibly felt, and which his presence brought forcibly to the recollection of all, was the great cause in which we were engaged, and the blessings which we have derived from our success in it. The struggle was for independence, and liberty public and personal, and in this we succeeded. The meeting with one who had borne so distinguished a part in that great struggle, and from such lofty and disinterested motives, could not fail to affect profoundly every individual. and of every age. It is natural that we should all take a deep interest in his future welfare as we do. His high claims on our Union are felt, and the sentiment universal, that they should be met in a generous spirit. der these impressions, I invite your attention to the subject, with a view that, regarding his very important services, losses, and sacrifices, a provision may be made and tendered to him which shall correspond with the sentiments, and be worthy the character, of the American people.

In turning our attention to the condition of the civilized world, in which the United States has always taken a deep interest, it is gratifying to see how large a portion of it is blessed with peace. The only wars which now exist within that limit are those between Turkey and Greece, in Europe, and between Spain and the new governments, our neighbors, in this hemisphere. In both these wars, the cause of independence, of liberty, and humanity, continues to prevail. The success of Greece, when the relative population of the contending parties is considered, commands our admiration and applause, and that it has had a similar effect with the neighboring powers is obvious. The feeling of the whole civilized world is excited in a high degree in their favor. May we not hope that these sentiments, winning on the hearts of their respective governments, may lead to a more decisive result; that they may produce an accord among them, to replace Greece on the ground which she formerly held, and to which her heroic exertions, at this day, so eminently entitle her?

With respect to the contest to which our neighbors are a party, it is evident that Spain, as a power, is scarcely felt in it. These new states had completely achieved their independence before it was acknowledged by the United States, and they have since maintained it with little foreign pressure. The disturbances which have appeared in certain portions of that vast territory have proceeded from internal causes, which had their origin in their former governments and have not yet been thoroughly removed. It is manifest that these causes are daily losing their effect, and that these new states are settling down under governments, elective and representative in every branch, similar to our own. In this course we ardently wish them to persevere, under a firm conviction that it will promote their happiness. In this, their career, however, we have not interfered, believing that every people have a right to institute for themselves the government which, in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbors, they are competent judges, and to their judgment we leave it, in the expectation It is impossible for the European governme cerns, especially in those alluded to, which indeed, the motive which might induce su state of the war between the parties, if a wi pear to be equally applicable to us. It is g the powers with whom we enjoy a very whom these views have been communicated in them.

The augmentation of our population, with and increased number of states, have produc of our system which merit the attention of rangements, and particularly of the judicias with a view to the original thirteen states o States have acquired a vast extent of territ been admitted into the Union, and territories others, which will likewise be admitted at n tion of the supreme court, which assigns to t duties which belong to the inferior, requiring space, under any distribution of the states th impracticable in the execution, must render i charge the duties of either branch with advan ties of the supreme court would be of great were confined to the ordinary limits of other sidered that this court decides, and in the last tions which arise under our constitution, is United States individually, between the states between the latter and foreign powers, too his tance can not be formed. The great interest quire that the judges of the supreme court s other duty than those which are incident to the zation of the inferior courts would of course ! It is presumed that such a one might be forn and faithful discharge of their duties, and wit tion of expense

humanity, and to the honor of the nation. Their civilization is indispensable to their safety, and this can be accomplished only by degrees. The process must commence with the infant state, through whom some effect may be wrought on the parental. Difficulties of the most serious character present themselves to the attainment of this very desirable result, on the territory on which they now reside. To remove them from it by force, even with a view to their own security and happiness, would be revolting to humanity, and utterly unjustifiable. Between the limits of our present states and territories and the Rocky mountains and Mexico, there is a vast territory to which they might be invited, with inducements which might be successful. It is thought that if that territory should be divided into districts, by previous agreement with the tribes now residing there, and civil governments be established in each, with schools for every branch of instruction in literature and in the arts of civilized life, that all the tribes now within our limits might gradually be drawn there. The execution of this plan would necessarily be attended with expense, and that not inconsiderable; but it is doubted whether any other can be devised which would be less liable to that objection, or more likely to

In looking to the interests which the United States have on the Pacific ocean, and on the western coast of this continent, the propriety of establishing a military post at the mouth of Columbia river, or at some other point in that quarter, within our acknowledged limits, is submitted to the consideration of Congress. Our commerce and fisheries on that sea, and along the coast, have much increased, and are increasing. It is thought that a military post, to which our ships-of-war might resort, would afford protection to every interest, and have a tendency to conciliate the tribes to the northwest, with whom our trade is extensive. It is thought, also, that by the establishment of such a post, the intercourse between our western states and territories and the Pacific, and our trade with the tribes residing in the interior, on each side of the Rocky mountains, would be essentially promoted. To carry this object into effect, the appropriation of an adequate sum to authorize the employment of a frigate, with an officer of the corps of engineers, to explore the mouth of the Columbia river, and the coast contiguous thereto, to enable the executive to make such establishment at the most suitable point, is recommended to Congress.

It is thought that attention is also due to the improvement of this city. The communication between the public buildings, and in various other parts, and the grounds around those buildings, require it. It is presumed, also, that the completion of the canal from the Tiber to the eastern branch would have a very salutary effect. Great exertions have been made, and expenses incurred, by the citizens, in improvements of various kinds; but those which are suggested belong exclusively to the government, or are of a nature to require expenditures beyond their resources. The public lots which are still for sale, would, it is not doubted, be more than adequate to these purposes.

From the view above presented, it is manifest that the situation of the United States is in the highest degree prosperous and happy. There is no object which, as a people, we can desire, which we do not possess or which is not within our reach. Blessed with governments the happiest which the world ever knew, with no distinct orders in society or divided interests in any portion of the vast territory over which their dominion extends, we have every motive to cling together which can animate a virtuous and en-

ers, and particularly to our southern neigh form, with respect to all, to which we mus danger we should pay the most vigilant and the cause where it may be practicable, and inevitable.

Against foreign danger, the policy of the ready settled. The events of the late we maritime frontier impregnable by a well-d and to give efficient protection to our comto a certain extent, which has been steadi cumbent upon us to complete as soon as ( the event of war, it is on the maritime from It is in that quarter, therefore, that we shou tack. It is there that our whole force wi vent the destruction of our towns, and the interior. To give full effect to this polic indispensable. Access to those works, by tion, should be made easy, and in every dire between every part of our Union, should be the exercise of those powers which may con the great principles of our constitution. Wi these great principles point out with equal ' sued. Resting on the people, as our govern with well-defined powers, it is of the highest ally keep within the limits prescribed to 1 duty, it is of equal importance that the mov monious, and in case of any disagreement, s appeal be made to the people; and their ve obeyed. But governments being instituted f not fail to prosper while those who made the duct of their representatives and control their of those great objects, let a generous spirit ings be indulged; and let every part recol spirit and improving the condition of the of witnessed the great difficulties to which our Union has been exposed, and admired the virtue and courage with which they were surmounted. From the present prosperous and happy state I derive a gratification which I can not express. That these blessings may be preserved and perpetuated, will be the object of my fervent and unceasing prayers to the Supreme Ruler of the universe.

## SPECIAL MESSAGE.

JANUARY 13, 1818.

To the Senate and House of Representatives of the United States:-

I HAVE the satisfaction to inform Congress, that the establishment at Amelia island has been suppressed, and without the effusion of blood. The papers which explain this transaction, I now lay before Congress.

By the suppression of this establishment, and that of Galvestown, which will soon follow, if it has not already ceased to exist, there is good cause to believe that the consummation of a project fraught with much injury to the United States has been prevented.

When we consider the persons engaged in it, being adventurers from different countries, with very few, if any, of the native inhabitants of the Spanish colonies, the territory on which the establishments were made—one on a portion of that claimed by the United States, westward of the Mississippi, the other on a part of East Florida, a province in negotiation between the United States and Spain—the claim of their leader, as announced by his proclamation on taking possession of Amelia island, comprising the whole of both the Floridas, without excepting that part of West Florida which is incorporated with the state of Louisiana; their conduct while in the possession of the island, making it instrumental to every species of contraband, and in regard to slaves, of the most odious and dangerous character; it may fairly be concluded, that, if the enterprise had succeeded on the scale on which it was formed, much annoyance and injury would have resulted from it to the United States.

Other circumstances were thought to be no less deserving of attention. The institution of a government by foreign adventurers in the island, distinct from the colonial governments of Buenos Ayres, Venezuela, or Mexico, pretending to sovereignty, and exercising its highest offices, particularly in granting commissions to privateers, were acts which could not fail to draw after them the most serious consequences. It was the duty of the executive, either to extend to this establishment all the advantages of that neutrality which the United States had proclaimed, and have observed in favor of the colonies of Spain, who, by the strength of their own population and resources, had declared their independence, and were affording strong proof of their ability to maintain it, or of making the discrimination which circumstances require.

Had the first course been pursued, we should not only have sanctioned all the unlawful claims and practices of this pretended government in regard to the United States, but countenanced a system of privateering in the gulf of Mexico, and elsewhere, the ill effects of which might, and probably would, have been deeply and very extensively felt.

a force near the St. Mary's, to prevent would have been more sensibly felt.

To such establishments, made so near tion of deriving aid from them, it is partilittle encouragement was given. The erby our fellow-citizens, that their sympa proper purposes, but that a love of counples, and a respect for the laws, are p pledge, that all the very flattering anticipt the success of our institutions will be reather if our relations with foreign power done by the constituted authorities, who bility, are competent to the purpose; and that our fellow-citizens will respect the erherence to the laws which secure them.

Believing that this enterprise, though a whom may have held commissions from a thorized by, and unknown to, the colonial entertained, that it will be disclaimed by the will be taken to prevent the abuse of their

jury of the United States.

For these injuries, especially those proce would be responsible, if it was not manife the latter instance through her territory, she them. Her territory, however, ought not the inability to defend it, to purposes so To a country over which she fails to mai she permits to be converted to the annoyal diction for the time necessarily ceases to will nevertheless be respected, so far as it the essential interests and safety of the Uni adventurers from these posts, it was not i from Spain, or to injure in any degree the will be taken that

#### SPECIAL MESSAGE.

#### DECEMBER 17, 1819.

To the Senate and House of Representatives of the United States:

Some doubt being entertained respecting the true intent and meaning of the act of the last session, entitled, "An act in addition to the acts prohibiting the slave-trade," as to the duties of the agents to be appointed on the coast of Africa, I think it proper to state the interpretation which has been given of the act, and the measures adopted to carry it into effect, that Congress may, should it be deemed advisable, amend the same, before further proceedings are had under it.

The obligation to instruct the commanders of all our armed vessels to seize and bring into port all ships or vessels of the United States, wheresoever found, having on board any negro, mulatto, or person of color, in violation of former acts for the suppression of the slave-trade, being imperative, was executed without delay. No seizures have yet been made; but, as they were contemplated by the law, and might be presumed, it seemed proper to make the necessary regulations applicable to such seizures for carrying the several provisions of the act into effect.

It is enjoined on the executive to cause all negroes, mulattoes, or persons of color, who may be taken under the act, to be removed to Africa. It is the obvious import of the law, that none of the persons thus taken should remain within the United States; and no place other than the coast of Africa being designated, their removal or delivery, whether carried from the United States, or landed immediately from the vessels in which they were taken, was supposed to be confined to the coast. No settlement or station being specified, the whole coast was thought to be left open for the selection of a proper place, at which the persons thus taken should be delivered. The executive is authorized to appoint one or more agents, residing there, to receive such persons; and one hundred thousand dollars are appropriated for the general purposes of the law.

On due consideration of the several sections of the act, and of its humane policy, it was supposed to be the intention of Congress, that all the persons above described, who might be taken under it, and landed in Africa, should be aided in their return to their former homes, or in their establishment at or near the place where landed. Some shelter and food would be necessary for them there, as soon as landed, let their subsequent disposition be what it might. Should they be landed without such provision

having been previously made, they might perish.

It was supposed, by the authority given to the executive to appoint agents residing on the coast, that they should provide such shelter and food, and perform the other beneficent and charitable offices contemplated by the act. The coast of Africa having been little explored, and no persons residing there, who possessed the requisite qualifications to entitle them to the trust, being known to the executive, to none such could it be committed. It was believed that citizens only, who would go hence, well instructed in the views of the government, and zealous to give them effect, would be competent to these duties, and that it was not the intention of the law to preclude their appointment. It was obvious, that the longer these persons should be detained in the United States in the hands of the marshals, the greater would be the expense, and that for the same term

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mowed—fifteen hundred dollars to the other.

All our public agents on the coast services, and it was understood that 1 requisite qualifications, would accept tl confined to parts the least frequented compensation. Such allowance, there the execution of the act. It is intende sum appropriated to the order of the pr above stated, amounting in the whole, for one year, to rather less than one th instructions will be given to these ager duties, in regard to the persons thus de of the money by the principal agent, as They will also have power to select the of Africa, at which all persons who ma delivered to them, with an express injun on the principle of colonization, or other benevolent offices above recited, by th existing government under which they n will be given to the commander of the p to cruise along the coast, to give the mo object of the act.

# SPECIAL M

FEBRUARY 25

To the Senate and House of Representati
Under the appropriation made by th
April, 1820, for holding treaties with th

Indians, for the extinguishment of the In of Georgia, pursuant to the fourth condit

state, and to obtain an indemnity to the citizens of that state for property of considerable value, which has been taken from them by the Cherokee Indians, I submit the subject to the consideration of Congress, that a further sum, which, in addition to the balance of the former appropriation, will be adequate to the expenses attending a treaty with them, may be appropriated, should Congress deem it expedient.

#### SPECIAL MESSAGE.

MARCH 8, 1822.

To the Senate and House of Representatives of the United States:-

In transmitting to the house of representatives the documents called for by the resolution of that house of the 30th of January, I consider it my duty to invite the attention of Congress to a very important subject, and to communicate the sentiments of the executive on it, that, should Congress entertain similar sentiments, there may be such co-operation between the two departments of the government as their respective rights

and duties may require.

The revolutionary movement in the Spanish provinces in this hemisphere, attracted the attention and excited the sympathy of our fellow-citizens from its commencement. This feeling was natural and honorable to them, from causes which need not be communicated to you. It has been gratifying to all to see the general acquiescence which has been manifested in the policy which the constituted authorities have deemed it proper to pursue in regard to this contest. As soon as the movement assumed such a steady and consistent form as to make the success of the provinces probable, the rights to which they were entitled by the law of nations, as equal parties to a civil war, were extended to them. Each party was permitted to enter our ports with its public and private ships, and to take from them every article which was the subject of commerce with other nations. Our citizens, also, have carried on commerce with both parties, and the government has protected it, with each, in articles not contraband of war. Through the whole of this contest the United States have remained neutral, and have fulfilled with the utmost impartiality all the obligations incident to that character.

This contest has now reached such a stage, and been attended with such decisive success on the part of the provinces, that it merits the most profound consideration whether their right to the rank of independent nations, with all the advantages incident to it, in their intercourse with the United States, is not complete. Buenos Ayres assumed that rank by a formal declaration in 1816, and has enjoyed it since 1810, free from invasion by the parent-country. The provinces composing the republic of Colombia, after having separately declared their independence, were united by a fundamental law of the 17th of December, 1819. A strong Spanish force occupied at that time certain parts of the territory within their limits, and waged a destructive war. That force has since been repeatedly defeated, and the whole of it either made prisoners or destroyed, or expelled from the country, with the exception of an inconsiderable portion only, which is blockaded by two fortresses. The provinces on the Pacific have likewise been very successful. Chili declared independence in 1818, and has

the state of the war and other circums mote prospect of their being deprived

When the result of such a contest ernments have a claim to recognition b be resisted. Civil wars too often exc not control. The opinion entertained may assuage those feelings, and promot useful and honorable to both. The ( making a decision on this important : afforded an unequivocal proof to Spain. ers, of the high respect entertained by and of their determination not to interfer longing to this hemisphere are our neigh each portion of the country acquired its cognition by an appeal to facts not to thought gave them a just title to it. To ment has invariably disclaimed all prete part in the controversy, or other measure merit the sanction of the civilized world. bility has been always felt and frankly as selves, could never become an adequate bent on this government to look to every on which a sound opinion could be forme we regard, then, the great length of time cuted, the complete success which has a inces, the present condition of the parties to produce any change in it, we are comp settled, and that the provinces which hav and are in the enjoyment of it, ought to be

Of the views of the Spanish governme information has been recently received. cessful progress of the revolution, throug gaining strength and extending annually in by the late important events with little

ment to them, than to us. It is probable, therefore, that they have been less attentive to its progress than we have been. It may be presumed, however, that the late events will dispel all doubt of the result.

In proposing this measure, it is not contemplated to change thereby, in the slightest manner, our friendly relations with either of the parties, but to observe in all respects, as heretofore, should the war be continued, the most perfect neutrality between them. Of this friendly disposition, an assurance will be given to the government of Spain, to whom it is presumed it will be, as it ought to be, satisfactory. The measure is proposed under a thorough conviction that it is in strict accord with the law of nations; that it is just and right as to the parties; and that the United States owe it to their station and character in the world, as well as to their essential interests, to adopt it. Should Congress concur in the view herein presented, they will doubtless see the propriety of making the necessary appropriations for carrying it into effect.

### SPECIAL MESSAGE.

## MARCH 26, 1822.

### To the Senate and House of Representatives of the United States:-

Congress having suspended the appropriation, at the last session, for the fortification at Dauphin island, in consequence of a doubt which was entertained of the propriety of that position, the further prosecution of the work was suspended, and an order given, as intimated in the message of the 3d of December, to the board of engineers and naval commissioners, to re-examine that part of the coast, and particularly that position, as also the position at Mobile point, with which it is connected, and to report their opinion thereon, which has been done, and which report is herewith communicated

By this report it appears to be still the opinion of the board, that the construction of works at both these positions is of great importance to the defence of New Orleans, and of all that portion of our Union which is connected with, and dependent on, the Mississippi, and on the other waters which empty into the gulf of Mexico, between that river and Cape Florida. That the subject may be fully before Congress, I transmit, also, a copy of the former report of the board, being that on which the work was undertaken, and has been in part executed. Approving as I do the opinion of the board, I consider it my duty to state the reasons on which I adopted the first report, especially as they were in part suggested by the occurrences of the late war.

The policy which induced Congress to decide on and provide for the defence of the coast, immediately after the war, was founded on the marked events of that interesting epoch. The vast body of men which it was found necessary to call into the field, through the whole extent of our maritime frontier, and the number who perished by exposure, with the immense expenditure of money and waste of property which followed, were to be traced in an eminent degree to the defenceless condition of the coast. It was to mitigate these evils in future wars, and even for the higher purpose of preventing war itself, that the decision was formed to make the coast, so far as it might be practicable, impregnable, and that the



our onion could affect so deeply and many states, and of so many of ou extensive territory and numerous p and dependent on, the Mississippi, works, well posted, were therefore

protection.

It is not, however, by the Mississ municate directly with, or approach n is assailable. It will be recollected t tude was excited, not so much by the directions, as by the apprehension that the main force, landing either in the tween that bay and the Rigolets, would rear of the army which had been col confidence was entertained that that able chief who commanded it, would n exposed in front. But had such a for a position taken on the banks of the ri troops would have been subjected, attac have been, may easily be conceived. cut off, they could not long have rem from it, it must have fallen immediately In ascending the river, to attack the been made to great disadvantage, since and at such a time, as the enemy prefe that defences, other than such as are im are of great importance to its safety.

An attempt to seize New Orleans and will be made only by a great power, or with a strong naval and land force, the transports which may sail in shallow w Orleans are well posted, and of sufficien may be made on them, the city can be a must pass in the direction above sugges

hav of Makil

bama to the towns of Mobile and Blakeley. The distance between Dauphin island and the Rigolets is ninety miles. The principal islands between them are Massacre, Horn, Ship, and Cat islands, near to which there is an anchorage for large ships-of-war. The first object is to prevent the landing of any force, for the purposes above stated, between the Rigolets and the bay of Mobile; the second, to defeat that force in case it should be landed. When the distance from one point to the other is considered, it is believed that it would be impossible to establish works so near to each other as to prevent the landing of such a force. Its defeat, therefore, should be effectually provided for. If the arrangement should be such as to make that result evident, it might be fairly concluded that the attempt would not be made, and thus we should accomplish in the best mode possible, and with the least expense, the complete security of this important part of our Union, the great object of our system of defence for the whole.

There are some other views of this subject which it is thought will merit particular attention in deciding the point in question. Not being able to establish a chain of posts, at least for the present, along the whole coast, from the Rigolets to Dauphin island, or on all the islands between them. at which point shall we begin? Should an attack on the city be anticipated, it can not be doubted that an adequate force would immediately be ordered there for its defence. If the enemy should despair of making an impression on the works near the town, it may be presumed that they would promptly decide to make the attempt in the manner, and in the line above suggested, between the Rigolets and the bay of Mobile. It will be obvious that the nearer the fortification is erected to the Rigolets, with a view to this subject, should it be on Cat or Ship island, for example, the wider would the passage be left open between that work and the bay of Mobile, for such an enterprise. The main army being drawn to New Orleans, would be ready to meet such an attempt near the Rigolets, or any other point not distant from the city. It is probable, therefore, that the enemy, profiting of a fair wind, would make his attempt at the greatest distance compatible with his object from that point, and at the bay of Mobile, should there not be works there of sufficient strength to prevent it. Should, however, strong works be erected there, such as were sufficient not only for their own defence against any attack which might be made on them, but to hold a force connected with that which might be drawn from the neighboring country, capable of co-operating with the force at the city, and which would doubtless be ordered to those works in the event of war, it would be dangerous for the invading force to land anywhere between the Rigolets and the bay of Mobile, and to pass toward the Mississippi above the city, lest such a body might be thrown in its rear as to cut off its retreat. These considerations show the great advantage of establishing, at the mouth of the bay of Mobile, very strong works, such as would be adequate to all the purposes suggested.

If fortifications were necessary only to protect our country and cities against the entry of large ships-of-war into our bays and rivers, they would be of little use for the defence of New Orleans, since that city can not be approached so near, either by the Mississippi or in any other direction, by such vessels, for them to make an attack on it. In the gulf, within our limits west of Florida, which has been acquired since these works were decided on and commenced, there is no bay or river into which large ships-of-war can enter. As a defence, therefore, against an attack from such

inducement to make any change in the is a circumstance which also merits atthave taken of the subject, I am of opin fence of New Orleans and of the rive invasion, being one of the great object object would be essentially abandoned if ward of the bay of Mobile, since the for be placed at too great a distance to allo those purposes, between it and that at these purposes, that by carrying them east, that bay would fall immediately, in hands of the enemy, whereby such co-op ly impossible, and the state of Alabama protected.

With a view to such formidable invasion sight, and of the great objects to which it very strong works at some point within the indispensable. I think, also, that those w the bay of Mobile, one at Mobile point, an whereby the enemy would be excluded, and bay, with all the advantages attending it, be case of such invasion, it will, it is presume lect, at some point other than at New Orle moving in any direction, and affording ai attacked; and, in my judgment, no position as a point of rendezvous for such force, a fortification at the Rigolets will defend the Lake Pontchartrain, and also into Pearl riv at that point. Between the Rigolets and inlets which deserve the name, those at entrance into which is too shallow even for the Rigolets to Mobile bay, the whole com the depth of a few feet of water only. Ca Rigolets, is about seven and a half mile-

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tand the entrance to them is such as to admit large ships-of-war), distant as they are from the coast, it would be more easy for the enemy to assail them with effect.

The position, however, at Mobile bay is essentially different. That bay takes its name from Mobile river, which is formed by the junction of the Alabama and Tombigbee, which extend, each, about three hundred miles into the interior, approaching, at their head waters, near the Tennessee river. If the enemy possessed its mouth, and fortified Mobile point and Dauphin island, being superior at sea, it would be very difficult for us to dispossess him of either, even of Mobile point; and holding that position. Pensacola would soon fall, as, without incurring great expense in the construction of works there, it would present but a feeble resistance to a strong force in its rear. If we had a work at Mobile point only, the enemy might take Dauphin island, which would afford him great aid in attacking the point, and enable him, even should we succeed in repelling the attack, to render us great mischief there, and throughout the whole gulf. In every view which can be taken of the subject, it appears indispensable for us to command the entrance into Mobile bay; and that decision being. taken, I think the considerations which favor the occupation of Dauphin island, by a strong work, are conclusive. It is proper to observe, that after the repulse before New Orleans, in the late war, the British forces took possession of Dauphin island and held it till the peace. Under neither of the reports of the board of engineers and naval commissioners could any but sloops-of-war enter the bay, or the anchorage between Dauphin and Pelican islands. Both reports give to that anchorage eighteen feet at low water, and twenty and a half at high. The only difference between them consists in this: that in the first, a bar leading to the anchorage. reducing the depth of water to twelve feet at low tide, was omitted. In neither case could frigates enter, though sloops-of-war of larger size might. The whole scope, however, of this reasoning turns on a different principle -on the works necessary to defend that bay, and by means thereof. New Orleans, the Mississippi, and all the surrounding country, against a powerful invasion both by land and sea, and not on the precise depth of water in any of the approaches to the bay or to the island.

The reasoning which is applicable to the works near New Orleans, and at the bay of Mobile, is equally so, in certain respects, to those which are to be erected for the defence of all the bays and rivers along the other parts of the coast. All those works are also erected on a greater scale than would be necessary for the sole purpose of preventing the passage of our inlets by large ships-of-war. They are, in most instances, formed for defence against a more powerful invasion, both by land and sea. There are, however, some differences between the works which are deemed necessary in the gulf, and those in other parts of our Union, founded on the peculiar situation of that part of the coast. The vast extent of the Mississippi, the great outlet and channel of commerce for so many states, all of which may be affected by the seizure of that city, or of any part of the river to a great extent above it, is one of those striking peculiarities which The thinness of the population near the require particular provision. city, making it necessary that the force requisite for its defence should be called from distant parts and states, is another. The danger which the army assembled at New Orleans would be exposed to of being cut off, in case the enemy should throw a force on the river above it, from the difficulty of ascending the river to attack it, and of making a retreat in any

other direction, is a third. For an attack on the city of New Orleans, Mobile bay, or any part of the intermediate coast, ships-of-war would be necessary only as a convoy to protect the transports against a naval force on their passage, and on their approach to the shore for the landing of the men, and on their return home, in case they should be repulsed.

On the important subject of our defences generally, I think proper to observe, that the system was adopted immediately after the late war, by Congress, on great consideration and a thorough knowledge of the effects of that war; by the enormous expense attending it; by the waste of life, of property, and by the general distress of the country The amount of debt incurred in that war, and due at its conclusion, without taking into the estimate other losses, having been heretofore communicated, need not now be repeated. The interest of the debt thus incurred is four times more than the sam necessary, by annual appropriations, for the completion of our whole system of defence, land and naval, to the extent provided for, and within the time specified. When that system shall be completed, the expense of construction will cease, and our expenditures be proportionally diminished. Should another war occur before it is completed, the experience of the last marks, in characters too strong to be mistaken, its inevitable consequences; and should such war occur, and find us unprepared for it, what will be our justification to the enlightened body whom we represent, for not having completed these defences ? That this system should not have been adopted before the late war, can not be a cause of surprise to any one, because all might wish to avoid every expense, the necessity of which might be in any degree doubtful. But with the experience of that war before us, it is thought there is no cause of hesitation. Will the completion of these works, and the augmentation of our navy to the point contemplated by law. require the imposition of onerous burdens on our fellow-citizens, such as they can not or will not bear? Have such, or any burdens been imposed,

fences generally, as well as to the work at Dauphin island, I think it my duty to recommend to Congress an appropriation for the latter. I consider the withholding it, at the last session, as the expression only of a doubt by Congress of the propriety of the position, and not as a definitive opinion. Supposing that that question would be decided at the present session, I caused the position, and such parts of the coast as are particularly connected with it, to be re-examined, that all the light on which the decision, as to the appropriation, could depend, might be fully before you. In the first survey. the report of which was that on which the works intended for the defence of New Orleans, the Mississippi, the bay of Mobile, and all the country dependent on those waters, were sanctioned by the executive, the commissioners were industriously engaged about six months. I should have communicated that very able and interesting document then, but from a doubt how far the interest of our country would justify its publication, a circumstance which I now mention, that the attention of Congress may be drawn to it.

#### SPECIAL MESSAGE.

MAY 4, 1822.

To the House of Representatives :-

HAVING duly considered the bill, entitled, "An act for the preservation and repair of the Cumberland Road," it is with deep regret, approving as I do the policy, that I am compelled to object to its passage, and to return the bill to the house of representatives, in which it originated, under a conviction that Congress do not possess the power, under the constitution,

to pass such a law.

A power to establish turnpikes, with gates and tolls, and to enforce the collection of the tolls by penalties, implies a power to adopt and execute a complete system of internal improvement. A right to impose duties to be paid by all persons passing a certain road, and on horses and carriages, as is done by this bill, involves the right to take the land from the proprietor, on a valuation, and to pass laws for the protection of the road from injuries; and if it exist as to one road, it exists as to any other, and to as many roads as Congress may think proper to establish. A right to legislate for one of these purposes is a right to legislate for the others. It is a complete right of jurisdiction and sovereignty for all the purposes of internal improvement, and not merely the right of applying money, under the power vested in Congress to make appropriations; under which power, with the consent of the states through which this road passes, the work was originally commenced, and has been so far executed. I am of opinion that Congress do not possess this power—that the states, individually, can not grant it; for although they may assent to the appropriation of money within their limits for such purposes, they can grant no power of jurisdiction or sovereignty by special compacts with the United States. This power can be granted only by an amendment to the constitution, and in the mode prescribed by it.

If the power exist, it must be either because it has been specifically granted to the United States, or that it is incidental to some power which

debts and provide for the common defethe power to make all laws necessary tion all the powers vested by the co United States, or in any department From the power to dispose of, and ma respecting the territory and other prop

According to my judgment, it can n powers, nor from all of them united, an

Having stated my objections to the municate at large the reasons on which reduce them to such form as to include stage of the session renders that imposiment of my service in this high trust, copinion that the United States do not poto suggest for the consideration of Conging to the states an amendment to the content of the United States, my attention has been in consequence whereof I have occasion paper respecting it. The form which the such as I should have given it, had it be it concluded. Nevertheless, as it containing one which I deem of very high imposibearings; has now become peculiarly u Congress, if in my power, in the course day next.

# SPECIAL M

MAY 4, 18

To the House of Representatives:—

I TRANSHIT the paper, alluded to in allient of

been granted. It seems to be the prevailing opinion, that great advantage would be derived from the exercise of such a power by Congress. Respecting the right there is much diversity of sentiment. It is of the highest importance that this question should be settled. If the right exist, it ought, forthwith, to be exercised. If it does not exist, surely those who are friends to the power ought to unite in recommending an amendment to the constitution to obtain it. I propose to examine this question.

The inquiry confined to its proper objects, and within the most limited scale, is extensive. Our government is unlike other governments, both in its origin and form. In analyzing it, the differences, in certain respects, between it and those of other nations, ancient and modern, necessarily come into view. I propose to notice these differences, so far as they are connected with the object of inquiry, and the consequences likely to result from them, varying, in equal degree, from those which have attended other governments. The digression, if it may be so called, will, in every instance, be short, and the transition to the main object immediate and direct.

To do justice to the subject, it will be necessary to mount to the source of power in these states, and to pursue this power in its gradations and distribution among the several departments in which it is now vested. The great division is between the state governments and the general government. If there was a perfect accord, in every instance, as to the precise extent of the powers granted to the general government, we should then know, with equal certainty, what were the powers which remained to the state governments; since it would follow, that those which were not granted to the one would remain to the other. But it is on this point, and particularly respecting the construction of these powers, and their incidents, that a difference of opinion exists; and hence it is necessary to trace, distinctly, the origin of each government; the purposes intended by it; and the means adopted to accomplish them. By having the interior of both governments fully before us, we shall have all the means which can be afforded to enable us to form a correct opinion of the endowments of each.

Before the revolution, the present states, then colonies, were separate communities, unconnected with each other, except in their common relation to the crown. Their governments were instituted by grants from the crown; which operated, according to the conditions of each grant, in the nature of a compact between the settlers in each colony and the crown. All power not retained in the crown was vested, exclusively, in the colonies; each having a government, consisting of an executive, a judiciary and a legislative assembly, one branch of which was, in every instance, elected by the people. No office was hereditary, nor did any title under the crown give rank or office in any of the colonies. In resisting the encroachments of the parent-country, and abrogating the power of the crown, the authority which had been held by it, vested, exclusively, in the people of the colonies. By them was a Congress appointed, composed of delegates from each colony who managed the war, declared independence, treated with foreign powers, and acted, in all things, according to the sense of their constituents. The declaration of independence confirmed in form what had before existed in substance. It announced to the world new states, possessing and exercising complete sovereignty, which they were resolved to maintain. They were soon after recognised by France and other powers; and, finally, by Great Britain herself, in 1783.

Soon after the power of the crown was annulled, the people of each

were imparted to these state govern as are necessary to prevent abuse, it or bills of right. The great diffe those of the old world, consists in the tive, the persons who exercise their in their own right, but for the peopte the highest degree efficient, they can transfer of the power of the people to in every branch, which constitutes the of government, and forms the boast of advantages of every known government. It retains the sovereignty in the people order incident to the exercise of that prossesses all the energy and efficiency while it avoids all the oppressions a governments.

In every stage of the conflict, from 1781, the powers of Congress were un assemblies, or conventions, of the sever sentatives from every county in each c gates from each colonial assembly, the purposes, recembled those of the form same basis, the people, and were com plated. Never was a movement so spo The nation exerted its whole faculties independence, after the contest took It was, however, foreseen, at a very patriotism of the country might be rel dependence, a well-digested compact after obtained. A plan of confederation and taken into consideration by Congre other great act which severed them from independence, was proclaimed to the on the 21st March. 1781 have

should be construed in the same sense in the latter, that they were in the former:—

Article 1 declares that the style of the confederacy shall be, The United States of America.

Art. 2. Each state retains its sovereignty, freedom and independence, and every power and right which is not expressly delegated to the United States.

Art. 3. The states severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them, on account of religion, sovereignty, trade, &c.

Art. 4. The free inhabitants of each state, paupers, vagabonds, and fugitives from justice, excepted, shall be entitled to all the privileges and immunities of free citizens in the several states, &c. Fugitives from justice into any of the states, shall be delivered up on the demand of the executive of the state from which they fled. Full faith and credit shall be given, in each state, to the records and acts of every other state.

Art. 5. Delegates shall be annually appointed, by the legislature of each state, to meet in Congress on the first Monday in November, with a power to recall, &c. No state shall appoint less than two, nor more than seven, nor shall any delegate hold his office for more than three in six years. Each state shall maintain its own delegates. Each state shall have one vote. Freedom of speech shall not be impeached, and the members shall be protected from arrests, except for treason, &c.

Art. 6. No state shall send or receive an embassy, or enter into a treaty with a foreign power. Nor shall any person, holding any office of profit or trust under the United States, or any state, accept any present, emolument, office, or title, from a foreign power. Nor shall the United States, or any state, grant any title of nobility. No two states shall enter into any treaty without the consent of Congress. No state shall lay any imposts, or duties, which may interfere with any treaties entered into by the United States. No state shall engage in war, unless invaded or be menaced with invasion by some Indian tribe; nor grant letters of marque or reprisal, unless it be against pirates, nor keep up vessels-of-war, nor any body of troops, in time of peace, without the consent of Congress; but every state shall keep up a well-regulated militia, &c.

Art. 7. When land forces are raised by any state for the common defence, all officers of, and under, the rank of colonel, shall be appointed by the legislature of each state.

Art. 8. All charges of war, and all other expenses which shall be incurred for the common defence or general welfare, shall be defrayed out of a common treasury; which shall be supplied by the several states, in proportion to the value of all the land in each state, granted to individuals. The taxes for paying such proportion shall be levied by the several states.

Art. 9. Congress shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the 6th article; of sending and receiving ambassadors; entering into treaties and alliances, except, &c.; of establishing rules for deciding what captures on land and water shall be legal; of granting letters of marque and reprisal in time of peace; appointing courts for the trial of piracies and felonies on the high seas; for deciding controversies between the states, and between individuals claiming lands under two or more states, whose jurisdiction has

a navy; to agree on the number of 1 on each state for its quota; that the ito these great acts.

Art. 10 regulates the powers of the

recess of Congress.

Art. 11 provides for the admission (
Art. 12 pledges the faith of the Unit
of credit issued, and money borrowed,

Art. 13. Every state shall abide b States, on all questions submitted to th ticles of the confederation to be perp

the consent of every state.

This bond of union was soon four purposes intended by it. It was defect also in the means of executing the pow a league of sovereign and independent other leagues, required the interposition them effect within their respective juris without the aid of state laws to enforce The refusal or omission, of one state, to reason to justify like conduct in others, as at a stand.

The experience of a few years dem could not be relied on, for the security of derived from the revolution. The interesticient government, which the good servided, by the adoption of the present constitution.

The constitution of the United States delegates from the several states, who ized for the purpose, and it was ratified which was especially called to consider this progress the state governments were tions. On the contrary, they took the lecompetency to secure to the United States

no other light. The people, the highest authority known to our system. from whom all our institutions spring, and on whom they depend, formed it. Had the people of the several states thought proper to incorporate themselves into one community, under one government, they might have done it. They had the power, and there was nothing then, nor is there anything now, should they be so disposed, to prevent it. They wisely stopped. however, at a certain point, extending the incorporation to that point, making the national government, thus far, a consolidated government, and preserving the state governments, without that limit, perfectly sovereign and independent of the national government. Had the people of the several states incorporated themselves into one community, they must have remained such; their constitution becoming then, like the constitution of the several states, incapable of change, until altered by the will of the majority. In the institution of a state government by the citizens of a state, a compact is formed, to which all and every citizen are equal parties. They are also the sole parties, and may amend it at pleasure. In the institution of the government of the United States, by the citizens of every state, a compact was formed between the whole American people, which has the same force, and partakes of all the qualities, to the extent of its powers, as a compact between the citizens of a state, in the formation of their own constitution. It can not be altered, except by those who formed it, or in the mode prescribed by the parties to the compact itself.

This constitution was adopted for the purpose of remedying all the defects of the confederation, and in this it has succeeded, beyond any calculation that could have been formed of any human institution. By binding the states together, the constitution performs the great office of the confederation; but it is in that sense only, that it has any of the properties of that compact, and in that it is more effectual, to the purpose, as it holds them together by a much stronger bond; and in all other respects, in which the confederation failed, the constitution has been blessed with complete success. The confederation was a compact between separate and independent states; the execution of whose articles, in the powers which operated internally, depended on the state governments. But the great office of the constitution by incorporating the people of the several states, to the extent of its powers, into one community, and enabling it to act directly on the people, was to annul the powers of the state governments to that extent, except in cases where they were concurrent, and to preclude their agency in giving effect to those of the general government. The government of the United States relies on its own means for the execution of its powers, as the state governments do for the execution of theirs; both governments having a common origin, or sovereign, the people; the state governments the people of each state, the national government the people of every state, and being amenable to the power which created it. It is by executing its functions as a government, thus originating and thus acting, that the constitution of the United States holds the states together, and performs the office of a league. It is owing to the nature of its powers. and the high source whence they are derived, the people, that it performs that office better than the confederation, or any league which ever existed, being a compact which the state governments did not form, to which they are not parties, and which executes its own powers independently of them.

Thus were two separate and independent governments established over our-Union, one for local purposes, over each state, by the people of the Vol. I.—32

street the other, for national purposes, over all the states, by the people of the 1 Section. The whole power of the people, on the representation of the people, and the representation of the people of the people of the representation of the state governments for an total color of matter and government begins where the state governments for an total color of matter personal states where there is a concurrent jurisdiction for the matter of the state government is also, according to the extent of the people is a complete sovereignty. I speak here, as repeatedly the transfer of the people alone.

The reservoir the world affords no such example of two separate and and qualitative vertaments established over the same people; nor can it exist, except in governments founded on the sovereignty of the people. in constraints, and other governments not representative, there can be no such a sum of power. The government is inherent in the possessor; at is also at local not be taken from him without a revolution. In such perceptualists, in ances and leagues alone are practicable. But with us, in high is count for nothing in the offices which they hold; that is, they have no right to them. They hold them as representatives, by appointthat thou the people, in whom the sovereignty is exclusively vested. It suppass the to speck too highly of this system, taken in its twofold charand the state of the great principles of two governments, completely distinet from and in biperalent of, each other; each constitutional, founded by, and being discrivion, the people; each competent to all its purposes, a lamb, so range and the blessings for which it was instituted, without even the most remote larger of exercising any of its powers in a way to oppasset a people. A system capable of expansion over a vast territory, not only welfast we kennig either government, but enjoying the peculiar and some of adding thereby, new strength and vigor to the faculties of also this additional advantage that while the



the nower, or what is called the sovereignty, from the crown, it passed directly to the people. The second, that it passed directly to the people of each colony, and not to the people of all the colonies, in the aggregate; to thirteen distinct communities, and not to one. To these two facts, each contributing its equal proportion. I am inclined to think that we are, in an eminent degree, indebted for the success of our revolution. By passing to the people, it vested in a community, every individual of which had equal rights, and a common interest. There was no family dethroned among us; no banished pretender in a foreign country, looking back to his connexions and adherents here, in the hope of a recall; no order of nobility, whose hereditary rights in the government had been violated; no hierarchy, which had been degraded and oppressed. There was but one order, that of the people, by whom everything was gained by the change. I mention it also as a circumstance of peculiar felicity, that the great body of the people had been born and educated under these equal and original institutions. Their habits, their principles, and their prejudices, were, therefore, all on the side of the revolution, and of free republican government.

Had distinct orders existed, our fortune might, and probably would have been different. It would scarcely have been possible to have united, so completely, the whole force of the country against a common enemy. A contest would probably have arisen in the outset, between the orders, for the control. Had the aristocracy prevailed, the people would have been heartless. Had the people prevailed, the nobility would probably have left the country, or remaining behind, internal divisions would have taken place in every state, and a civil war broken out more destructive even than the foreign, which might have defeated the whole movement. Ancient and modern history is replete with examples proceeding from conflicts between distinct orders; of revolutions attempted, which proved abortive; of republics, which have terminated in despotism. It is owing to the simplicity of the elements of which our system is composed, that the attraction of all the parts has been to a common centre; that every change has tended to cement the union; and, in short, that we have been blessed with such glorious and happy success.

And that the power wrested from the British crown passed to the people of each colony, the whole history of our political movement, from the emigration of our ancestors to the present day, clearly demonstrates. What produced the revolution? The violation of our rights. What rights? Our chartered rights. To whom were the charters granted? To the people of each colony, or to the people of all the colonies as a single community? We know that no such community as the aggregate existed; and, of course, that no such rights could be violated. It may be added that the nature of the powers which were given to the delegates by each colony, and the manner in which they were executed, show that the sovereignty was in the people of each, and not in the aggregate. They respectively presented credentials, such as are usual between ministers of separate powers, which were examined and approved, before they entered on the discharge of the important duties committed to them. They voted, also, by colonies, and not individually, all the members from one colony being entitled to one vote only. This fact, alone, the first of our political association, and at the period of our greatest peril, fixes beyond all controversy, the source whence the power which has directed and secured success to all our measures, has proceeded.

Had the sovereignty passed to the aggregate, consequences might have

ensued, admitting the success of our revolution, which might, even vet, seriously affect our system. By passing to the people of each colony, the opposition to Great Britain, the prosecution of the war, the declaration of independence, the adoption of the confederation, and of this constitution, are all imputable to them. Had it passed to the aggregate, every measure would be traced to that source; even the state governments might be said to have emanated from it, and amendments of their constitutions, on that principle, be proposed by the same authority. In short, it is not easy to perceive all the consequences into which such a doctrine might lead. It is obvious, that the people in mass would have much less agency in all the great measures of the revolution, and in those which followed, than they actually had, and proportionably less credit for their patriotism and services, than they are now entitled to and enjoy. By passing to the people of each colony, the whole body in each were kept in constant and active deliberation, on subjects of the highest national importance, and in the supervision of the conduct of all the public servants, in the discharge of their respective duties. Thus the most effectual guards were provided against abuses and dangers of every kind, which human ingenuity could devise, and the whole people rendered more competent to the self-government which, by an heroic exertion, they had acquired.

I will now proceed to examine the powers of the general government, which, like the governments of the several states, is divided into three branches, a legislative, executive, and judiciary, each having its appropriate share. Of these, the legislative, from the nature of its powers, all laws proceeding from it, and the manner of its appointment, its members being elected immediately by the people, is by far the most important. The whole system of the national government may be said to rest, essentially, on the powers granted to this branch. They mark the limit within which, with few exceptions, all the branches must move in the discharge of their

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;

11th. To raise and support armies; 12th. To provide and maintain a navy;

13th. To make rules for the government of the land and naval forces;

14th. To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions;

15th. To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be in the service of the United States, reserving to the states the appointment of the officers, and the authority of training the militia according to the discipline prescribed by

Congress:

16th. To exercise exclusive legislation, in all cases whatever, over such district (not exceeding ten miles square), as may, by the cession of particular states, and the acceptance of by Congress, become the seat of government of the United States; and to exercise like authority over all places purchased, by the consent of the legislature of the state in which the same may be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings;

17. And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any depart-

ment or officer thereof.

To the other branches of the government, the powers properly belonging to each are granted. The president, in whom the executive power is vested, is made commander-in-chief of the army and navy, and militia, when called into the service of the United States. He is authorized, with the advice and consent of the senate, two thirds of the members present concurring, to form treaties; to nominate, and, with the advice and consent of the senate, to appoint ambassadors, other public ministers and consent of the supreme court, and all other officers whose appointments are not otherwise provided for by law. He has power to grant reprieves and pardons for offences against the United States, except in cases of impeachment. It is made his duty to give to Congress, from time to time, information of the state of the union; to recommend to their consideration such measures as he may judge necessary and expedient, to convene both houses on extraordinary occasions, to receive ambassadors; and to take care that the laws be faithfully executed.

The judicial power is vested in one supreme court, and in such inferior courts as Congress may establish; and it is made to extend to all cases, in law and equity, arising under the constitution, the laws of the United States, and treaties made under their authority. Cases affecting ambassadors and other public characters; cases of admiralty and maritime jurisdiction; causes in which the United States are a party; between two or more states; between citizens of different states; between citizens of the same state, claiming grants of land under different states; between a state or the citizens thereof, and foreign states—are specially assigned to these

tribunals.

Other powers have been granted, in other parts of the constitution, which, although they relate to specific objects, unconnected with the ordinary administration, yet, as they form important features in the government, and may shed useful light on the construction which ought to be given to the powers above enumerated, it is proper to bring into view.

By article 1, sect 9, clause 1st, it is provided, that the migration or importation of such persons, as any of the states, now existing, shall think proper to admit, shall not be prohibited by Congress, prior to the year 1808, but a tax or day may be imposed on such importation, not exceed-

ing ten dollars for each person.

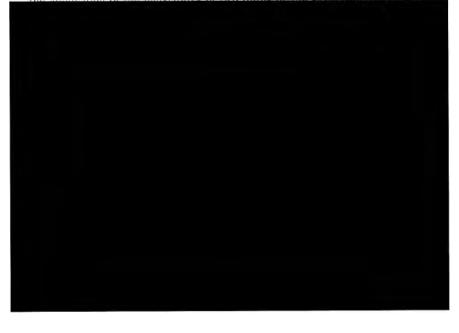
By arrich 3, sect. 3, classe 1st, new states may be admitted by Congress into the union, but that no new state shall be formed within the jurisdiction of another state, nor any state be formed by the junction of two or more states, or packs of states, without the consent of the legislature of the states concerned, as well as of the United States. And, by the next classe of the state and section, power is vested in Congress to dispose of, and nacked line elful rules and regulations respecting, the territory or other property belonging to the United States, with a proviso, that nothing in the constitution shall be so construed as to prejudice any claims of the United States, or of any particular state.

By article 4, sect. i, the United States guaranty to every state a republic in form of government, and engage to protect each of them against invision; and, on application of the legislature, or the executive, when

the legislature can not be convened, against domestic violence.

Of the other parts of the constitution, relating to power, some form restraints on the exercise of the powers granted to Congress, and others on the exercise of the powers remaining to the states. The object, in both instances, is, to draw, more completely, the line between the two governments, and also to prevent abuses by either. Other parts operate like conventional stipulations between the states, abolishing between them all distinctions, applicable to foreign powers, and securing to the inhabitants of each state. It is rights and immunities of citizens in the several states.

By the fiel, strade, r is provided, that Congress, whenever two thirds of both houses shall deem it necessary, shall propose amendments, or, on



of a doubt, however, on so important a subject, it was proper to make the declaration.

Having presented above a full view of all the powers granted to the United States, it will be proper to look to those remaining to the states. It is by fixing the great powers which are admitted to belong to each government, that we may hope to come to a right conclusion respecting those in controversy between them. In regard to the national government, this task was easy, because its powers were to be found in specific grants in the constitution; but it is more difficult to give a detail of the powers of the state governments, as their constitutions, containing all powers granted by the people, not specifically taken from them by grants to the United States, can not well be enumerated. Fortunately, a precise detail of all the powers remaining to the state governments, is not necessary in the present instance. A knowledge of their great powers, only, will answer every purpose contemplated; and respecting these there can be no diversity of opinion. They are sufficiently recognised and established by the constitution of the United States itself. In designating the important powers of the state governments, it is proper to observe, first, that the territory contemplated by the constitution belongs to each state, in its separate character, and not to the United States in their aggregate character. Each state holds territory according to its original charter, except in cases where cessions have been made to the United States, by individual states. The United States had none when the constitution was adopted, which had not been thus ceded to them, and which they held on the conditions on which such cession had been made. Within the individual states, it is believed, that they held not a single acre; but, if they did, it was as citizens held it, merely as private property. The territory acquired by cession, lying without the individual states, rests on a different principle. and is provided for by a separate and distinct part of the constitution. It is the territory within the individual states, to which the constitution, in its great principles, applies; and it applies to such territory as the territory of a state, and not as that of the United States. The next circumstance to be attended to, is, that the people composing this union are the people of the several states, and not of the United States, in the full sense of a consolidated government. The militia are the militia of the several states: lands are held under the laws of the states; descents, contracts, and all the concerns of private property, the administration of justice, and the whole criminal code, except in the cases of breaches of the laws of the United States, made under, and in conformity with, the powers vested in Congress, and of the laws of nations, are regulated by state laws. enumeration shows the great extent of the powers of the state governments. The territory and the people form the basis on which all governments are founded. The militia constitutes their effective force. regulation and protection of property, and of personal liberty, are also among the highest attributes of sovereignty. This, without other evidence, is sufficient to show, that the great office of the constitution of the United States is, to unite the states together, under a government endowed with powers adequate to the purposes of its institution, relating, directly or indirectly, to foreign concerns, to the discharge of which, a national government, thus formed, alone could be competent.

This view of the exclusive jurisdiction of the several states over the territory within their respective limits, except in cases otherwise specially provided for, is supported by the obvious intent of the several powers

granted to Congress, to which a more particular attention is now due. Of these, the right to declare war is, perhaps, the most important, as well by the consequences attending war, as by the other powers granted in aid of it. The right to lay taxes, duties, imposts, and excises, though necessary for the support of the civil government, is equally necessary to sustain the charges of war; the right to raise and support armies, and a navy, and to call forth and govern the militia, when in the service of the United States, are altogether of the latter kind. They are granted in aid of the power to make war, and intended to give effect to it. These several powers are of great force and extent, and operate more directly within the limits and upon the resources of the states, than any of the other powers. But still they are means only for given ends. War is declared. and must be maintained. An army and a navy must be raised; fortifications must be erected for the common defence; debts must be paid. For these purposes duties, imposts, and excises, are levied; taxes are laid: the lands, merchandise, and other property of the citizens, are liable for them; the money is not paid, seizures are made, and the lands are sold. The transaction is terminated; the lands pass into other hands, who hold them as the former proprietors did, under the laws of the individual states. They were means only to certain ends; the United States have nothing further to do with them. The same view is applicable to the power of the general government over persons. The militia is called into the service of the United States; the service is performed; the corps return to the state to which it belongs; it is the militia of such state, and not of the United States. Soldiers are required for the army, who may be obtained by voluntary enlistment, or by some other process, founded in the principles of equality. In either case, the citizen, after the tour of duty is performed, is restored to his former station in society, with his equal share in the common sovereignty of the nation. In all these cases, which are the

tute courts inferior to the supreme court, was a necessary consequence of the judiciary existing as a separate branch of the general government. Without such inferior court in every state, it would be difficult, and might even be impossible, to carry into effect the laws of the general govern-The right to establish postoffices and postroads is essentially of the same character. For political, commercial and social purposes, it was important that it should be vested in the general government. As a mere matter of regulation and nothing more. I presume, was intended by it, it is a power easily executed, and involving little authority within the states The right to exercise exclusive legislation, in all cases whatsoever, over the federal district, and over forts, magazines, arsenals, dock-yards, and other needful buildings, with the consent of the state within which the same may be, is a power of a peculiar character, and is sufficient in itself to confirm what has been said of all the other powers of the general government. Of this particular grant, further notice will hereaster be taken.

I shall conclude my remarks on this part of the subject by observing, that the view which has been presented of the powers and character of the two governments, is supported by the marked difference which is observable in the manner of their endowment. The state governments are divided into three branches, a legislative, executive, and judiciary; and the appropriate duties of each assigned to it, without any limitation of power, except such as is necessary to guard against abuse, in the form of bills of right. But, in instituting the national government, an entirely different principle was adopted and pursued. The government itself is organized, like the state governments, into three branches, but its powers are enumerated and defined in the most precise form. The subject has already been too fully explained to require illustration by a general view of the whole constitution, every part of which affords proof of what is here advanced. It will be sufficient to advert to the eighth section of the first article, being that more particularly which defines the powers, and fixes the character of the government of the United States. By this section, it is declared that Congress shall have power:-

1st. To lay and collect taxes, duties, imposts, excises, &c.

Having shown the origin of the state governments, and their endowments, when first formed; having also shown the origin of the national government, and the powers vested in it; and having shown, lastly, the powers which are admitted to have remained to the state governments, after those which were taken from them by the national government, I will now proceed to examine whether the power to adopt and execute a system of internal improvement, by roads and canals, has been vested in the United States.

Before we can determine whether this power has been granted to the general government, it will be necessary to ascertain, distinctly, the nature and extent of the power requisite to make such improvements. When that is done, we shall be able to decide whether such power is vested in the national government.

If the power existed, it would, it is presumed, be executed by a board of skilful engineers, on a view of the whole union, on a plan which would secure complete effect to all the great purposes of our constitution. It is not my intention, however, to take up the subject here, on this scale. I shall state a case for the purpose of illustration only. Let it be supposed that Congress intended to run a road from the city of Washington to

Bultine or a mail to connect the Chesapeake bay with the Delaware, and the Delaware with the Rariton, by a canal: what must be done to carry the price to the effect. I make here no question of the existing power. I speak only of the power necessary for the purpose. Commissioners would be appeared to trace a route, in the most direct line, paving due regard to inc. Us, we'ver ourses, and other obstacles, and to acquire the right to the grow bore; which the road and canal would pass, with sufficient breadth This must be done by voluntary grants, or by purchases from in the table, or, the case they would not sell, or should ask an exorbian: be, at the conclusioning the property and fixing its value by a jury of the views. The poxt object to be attended to, after the road and canal are but out and table, a to keep them in repair. We know that there are people to every community equible of committing voluntary injuries; of pull no down wides that are nacle to sustain the road; of breaking the bridges over wite scourses, and breaking the road itself. Some living no serious gir be its promised that it did not pass through their lands, and commet these nots of violence and waste, from revenge, or in the hope of giving it the telerection, though for a short time. Injuries of this kind have because in arte from lare still complained of, on the road from Cumberland to the time. To accomplish this object, Congress should have a right to pass taws to pagesn offen lers, wherever they may be found. Jurisdiction over the road would not be sufficient, though it were exclusive. It would selected in the act. They would be detected in the act. They would generally commutation the night, and thy far off before the sun appeared. The power to passish these culprits must, therefore, reach them wherever they are. They must, also, be amenable to competent tribunals, federal or state. The power must, likewise, extend to another object, not less essentief or prioritat than those already mentioned. Experience has shown that the establishment of turnackes, with gates and tolls, and persons to offenders are pursued, caught, and brought to trial. Can they be punished? The question of right must be decided on principle. The culprits will avail themselves of every barrier, that may serve to screen them from punishment. They will plead that the law, under which they stand arraigned, is unconstitutional, and that question must be decided by the court, whether federal or state, on a fair investigation of the powers vested in the general government by the constitution. If the judges find that these powers have not been granted to Congress, the prisoners must be acquitted; and, by their acquittal, all claim to the right to establish such a system is at an end.

I have supposed an opposition to be made to the right in Congress, by the owner of the land, and other individuals charged with breaches of statutes made to protect the work from injury, because it is the mildest form in which it can present itself. It is not, however, the only one. A state, also, may contest the right, and then the controversy assumes another character. Government might contend against government; for, to a certain extent, both the governments are sovereign and independent of each other, and in that form it is possible, though not probable, that opposition might be made. To each limitations are prescribed, and should a contest rise between them, respecting their rights, and the people sustain it with anything like an equal division of numbers, the worst consequences might ensue.

It may be urged that the opposition suggested by the owner of the land, or by the states individually, may be avoided by a satisfactory arrangement with the parties. But a suppression of opposition in that way, is no proof of a right in Congress, nor could it, if confined to that limit, remove all the impediments to the exercise of the power. It is not sufficient that Congress may, by the command and application of the public revenue, purchase the soil, and thus silence that class of individuals; or, by the accommodation afforded to individual states, put down opposition on their part. Congress must be able rightfully to control all opposition, or they can not carry the system into effect. Cases would inevitably occur to put the right to the test. The work must be preserved from injury; tolls must be collected; offenders must be punished. With these culprits no bargain can be made. When brought to trial, they must deny the validity of the law, and that plea being sustained, all claim to the right ceases.

If the United States possess this power, it must be, either because it has been specifically granted, or that it is incidental, and necessary to carry into effect some specific grant. The advocates for the power derive it from the following sources: 1st, the right to establish postoffices and postroads; 2d, to declare war; 3d, to regulate commerce among the several states; 4th, from the power to pay the debts and provide for the common defence and general welfare of the United States; 5th, from the power to make all laws necessary and proper for carrying into execution all the powers vested by the constitution in the government of the United States, or in any department or officer thereof; 6th, and lastly, from the power to dispose of, and make all needful rules and regulations respecting, the territory and other property of the United States. It is to be observed, that there is but little accord among the advocates for this power, as to the particular source whence it is derived. They all agree, however, in ascribing it to some one or more of those above-mentioned. I will examine the ground of the claim in each instance.

The first of these grants is in the following words: "Congress shall have

power to establish postoffices and postroads." What is the just import of these words, a little extent of the grant. The word "establish," is the ruling term, "postollies and postroads" are the subjects on which it acts. The are strong therefore, is, what power is granted by that word? The sense in which works we come tonly used, is that in which they are to be understord in all transactions between public bodies and individuals. The inter from of the parties is to prevail, and there is no better way of ascertransport. Then by strong to the terms used their ordinary import. If we were to ask thy analog of our most enlightened citizens, who had no come you will producatfairs, and whose minds were unprejudiced, whit was the import of the word most ablish," and the extent of the grant which it controls, we do not think that there would be any difference of opinion chong from We are satisfied that all of them would answer, that a power was the color given to Congress, to fix on the towns, courthouses, and other places, throughout our Union, at which there should be postoffwas the force by which the mals should be carried from one postoffice to mother, so is to diffuse intelligence as extensively, and to make the institution as ascial, as possible; to fix the postage to be paid on every letter and packet thus carried, to support the establishment, and to protect the postoffices and mads from robbery, by punishing those who should commit the offence. The idea of a right to lay off the roads of the Unito I States, on a second scale of improvement; to take the soil from the propertor by force, to establish turnpikes and tolls, and to punish offenders in the regime stated above, would never occur to any such person. The use of the existing road, by the stage, mail-carrier, or postboy, in possing over mass others do, is all that would be thought of; the jurisdiction and so I remaining to the state, with a right in the state, or those authoughtly as logist line, to change the road at pleasure.

The invention of the parties is supported by other proof, which ought to



larged power in the constitution than had been granted in the confederation. surely the same controlling term would not have been used; or other words would have been added, to show such intention, and to mark the extent to which the power should be carried. It is a liberal construction of the powers granted in the constitution, by this term, to include in it all the powers that were granted in the confederation, by terms which specifically defined and (as was supposed) extended their limits. It would be absurd to say, that, by omitting from the constitution any portion of the phraseology which was deemed important in the confederation the import of the term was enlarged, and, with it, the powers of the constitution, in a proportional degree, beyond what they were in the confederation. The right to exact postage and to protect the postoffices and mails from robbery, by punishing the offenders, may fairly be considered as incidents to the grant, since, without it, the object of the grant might be defeated. Whatever is absolutely necessary to the accomplishment of the object of the grant, though not specified, may fairly be considered as included in it. Beyond this, the doctrine of incidental power can not be carried.

If we go back to the origin of our settlements and institutions, and trace their progress down to the revolution, we shall see that it was in this sense, and none other, that the power was exercised by all our colonial governments. Postoffices were made for the country, and not the country for them. They are the offspring of improvement; they never go before it. Settlements are first made; after which the progress is uniform and simple, extending to objects in regular order, most necessary to the comfort of man-schools, places of worship, courthouses, and markets; post-Roads may, indeed, be said to be coeval with settlements. offices follow. They lead to all the places mentioned, and to every other which the vari-

ous and complicated interests of society require.

It is believed that not one example can be given, from the first settlement of our country to the adoption of this constitution, of a postoffice being established without a view to existing roads; or of a single road having been made by pavement, turnpike, &c., for the sole purpose of accommodating a postoffice. Such, too, is the uniform progress of all societies. In granting, then, this power to the United States, it was undoubtedly intended by the framers and ratifiers of the constitution, to convey it in the sense and extent only in which it had been understood and exercised by the

previous authorities of the country.

This conclusion is confirmed by the object of the grant and the manner of its execution. The object is the transportation of the mail throughout the United States, which may be done on horseback, and was so done until lately, since the establishment of stages. Between the great towns, and in other places where the population is dense, stages are preferred, because they afford an additional opportunity to make a profit from passengers. But where the population is sparse, and on crossroads, it is generally carried on horseback. Unconnected with passengers and other objects, it can not be doubted that the mail itself may be carried in every part of our Union, with nearly as much economy and greater despatch, on horseback, than in a stage; and in many parts with much greater. In every part of the Union in which stages can be preferred, the roads are sufficiently good, provided those which serve for every other purpose will accommodate them. In every other part, where horses alone are other people pass them on horseback, surely the mail-carrie an object so simple and so easy in the execution, it would d

cite surprise, if it should be thought proper to appoint commissioners to lay off the country on a great scheme of improvement, with the power to shorten distances, reduce heights, level mountains, and pave surfaces.

If the United States possessed the power contended for under this grant, might they not, in adopting the roads of the individual states for the carriage of the mail, as has been done, assume jurisdiction over them, and preclude a right to interfere with or alter them? Might they not establish turnpikes, and exercise all the other acts of sovereignty, above stated, over such roads, necessary to protect them from injury, and defray the expense of repairing them? Surely, if the right exists, these consequences necessarily followed, as soon as the road was established. The absurdity of such a pretension must be apparent to all who examine it. In this way a large portion of the territory of every state might be taken from it, for there is scarcely a road in any state which will not be used for the transportation of the mail. A new field for legislation and internal government would thus be opened.

From this view of the subject, I think that we may fairly conclude, that the right to adopt and execute a system of internal improvement, or any part of it, has not been granted to Congress under the power to establish postoffices and postroads; that the common roads of the country only were contemplated by that grant, and are fully competent to all its purposes.

The next object of inquiry is, whether the right to declare war includes the right to adopt and execute this system of improvement? The objections to it are, I presume, not less conclusive than those which are applicable to the grant which we have just examined.

Under the last-mentioned grant, a claim has been set up to as much of that system as relates to roads. Under this, it extends alike to roads and camb.

We must examine this grant by the same rules of construction that were applied to the preceding one. The object was to take this power from the individual states and to vest it in the general government. This

If it had been intended that the right to declare war should include all the powers necessary to maintain war, it would follow that nothing would have been done to impair the right, or to restrain Congress from the exercise of any power which the exigencies of war might require. The nature and extent of this exigency would mark the extent of the power granted, which should always be construed liberally, so as to be adequate to the end. A right to raise money by taxes, duties, excises, and by loan; to raise and support armies and a navy; to provide for calling forth, arming, disciplining, and governing the militia, when in the service of the United States; establishing fortifications, and governing the troops stationed in them, independently of the state authorities, and to perform many other acts, is indispensable to the maintenance of war. No war with any great power can be prosecuted with success without the command of the resources of the Union in all these respects. These powers, then, would, of necessity, and by common consent, have fallen within the right to declare war, had it been intended to convey, by way of incident to that right, the necessary powers to maintain war. But these powers have all been granted specifically, with many others, in great detail, which experience had shown were necessary for the purposes of war. By specifically granting, then, these powers, it is manifest that every power was thus granted which it was intended to grant, for military purposes; and that it was also intended that no important power should be included in this grant by way of incident, however useful it might be for some of the purposes of the grant.

By the sixteenth of the enumerated powers, article i., sect. 8, Congress are authorized to exercise exclusive legislation in all cases whatever over such district as may, by cession of particular states, and the acceptance of Congress, not exceeding ten miles square, become the seat of the government of the United States; and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other useful buildings. If any doubt existed on a view of the other parts of the constitution respecting the decision which ought to be formed on the question under consideration, I should suppose that this clause would completely remove it. It has been shown, after the most liberal construction of all the enumerated powers of the general government, that the territory within the limits of the respective states belonged to them; that the United States had no right, under the powers granted to them, with the exception specified in this grant, to any the smallest portion of territory within a state, all those powers operating on a different principle, and having their full effect without impairing, in the slightest degree, this right in the states; that those powers were, in every instance, means to ends, which, being accomplished, left the subject, that is, the property, in which light only land could be regarded, where it was before—under the jurisdiction, and subject to the laws, of the state governments.

The second number of the clause, which is applicable to military and naval purposes alone, claims particular attention here. It fully confirms the view taken of the other enumerated powers; for, had it been intended to include in the right to declare war, by way of incident, any right of jurisdiction or legislation over territory within a state, it would have been done as to fortifications, magazines, arsenals, dockyards, and other needful buildings. By specifically granting the right, as to such small portion of territory as might be necessary for these purposes, and on certain con-

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the authority to exercise exclusive legisso, within the states, with their consent, may be conat the property of the congress to exercise like exclusive legislation ... Promile their consent should be granted, it does not of such parisdiction or power, within a state, as would the purposes of internal improvement. I can conceive the related such a power over any part of the territhe interest from the power to declare war. There secretion for purisdiction for military purposes, except in and the like places. If the soldiers are in the ٠.. the fortifications, the civil auwhere they are. The government of the troops by and all of the state in war, when the forces are increased, the on a greater scale, consequences follow which are and the exigencies of the state. More freedom of action, and 11. 00 ; was a contract, in the military commanders, to be exercised on y, may be necessary to the public safety; but, even y of the state never ceases to operate. It is also Length e... judposes.

We approve a short of that stated, would be adequate to the purpocious of a provement, is defined. In the case of territory, one govcine, the state of the purposes intended by the grant. The purposes intended by the grant. The purposes not in such manner as to case of the state in ellectics and for all purposes not necessary to the execution of a pages 1 power. But the right of the general government of the englisher of an in the purposes above stated. It must extend

commerce with foreign nations, and among the several states and with the Indian tribes." The reasoning applicable to the preceding claims is equally so to this. The mischief complained of was, that this power could not be exercised with advantage by the individual states, and the object was to transfer it to the United States. The sense in which the power was understood and exercised by the states, was doubtless that in which it was transferred to the United States. The policy was the same as to three branches of this grant, and it is scarcely possible to separate the first two from each of the other, in any view which may be taken of the subject. The last, relating to the Indian tribes, is of a nature distinct from the others, for reasons too well known to require explanation. Commerce between independent powers or communities is universally regulated by duties and imposts. It was so regulated by the states before the adoption of this constitution, equally in respect to each other and to foreign pow-The goods and vessels employed in the trade are the only subjects of regulation. It can act on none other. A power then to impose such duties and imposts, in regard to foreign nations, and to prevent any

on the trade between the states, was the only power granted.

If we recur to the causes which produced the adoption of this constitution, we shall find that injuries, resulting from the regulation of trade by the states, respectively, and the advantages anticipated from the transfer of the power to Congress, were among those which had the most weight. Instead of acting as a nation in regard to foreign powers, the states, individually, had commenced a system of restraint on each other, whereby the interests of foreign powers were promoted at their expense. If one state imposed high duties on the goods or vessels of a foreign power, to countervail the regulations of such power, the next adjoining states imposed lower duties, to invite those articles into their ports, that they might be transferred thence into the other states, securing the duties to themselves. This contracted policy in some of the states was soon counteracted by others. Restraints were immediately laid on such commerce by the suffering states, and thus had grown up a state of affairs, disorderly and unnatural, the tendency of which was, to destroy the Union itself, and with it, all hope of realizing those blessings which we had anticipated from the glorious revolution which had been so recently achieved. From this deplorable dilemma, or rather certain ruin, we were happily rescued by the adoption of the constitution.

Among the first and most important effects of this great revolution, was the complete abolition of this pernicious policy. The states were brought together by the constitution, as to commerce, into one community, equally, in regard to foreign nations and each other. The regulations that were adopted, regarded us, in both respects, as one people. The duties and imposts that were laid on the vessels and merchandise of foreign nations, were all uniform throughout the United States, and, in the intercourse between the states themselves, no duties of any kind were imposed, other than between different ports and counties within the same state.

This view is supported by a series of measures, all of a marked character, preceding the adoption of the constitution. As early as the year 1781, Congress recommended it to the states to vest in the United States a power to levy a duty of five per cent on all goods imported from foreign countries into the United States, for the term of fifteen years. In 1783, this recommendation, with alterations as to the kind of duties, and an extension of this term to twenty-five years, was repeated, and more earnestly

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urged. In 1784, it was recommended to the states to authorize Congreto prohibit, under certain modifications, the importation of goods from feign powers into the United States for fifteen years. In 1785, the conseration of the subject was resumed, and a proposition presented in a new form, with an address to the states, explaining fully the principles on which a grant of the power to regulate trade was deemed indispensable. 1786, a meeting took place at Annapolis, of delegates from several of the states, on this subject, and, on their report, a convention was formed Philadelphia, the ensuing year, from all the states, to whose deliberation we are indebted for the present constitution.

In none of these measures was the subject of internal improvem mentioned, or even glanced at. Those of 1784, '5, '6, and '7, leading, s by step, to the adoption of the constitution, had in view, only, the obtaing of a power to enable Congress to regulate trade with foreign power it is manifest that the regulation of trade with the several states, was together a secondary object, suggested by and adopted in connexion with other. If the power necessary to this system of improvement is cluded under either branch of this grant, I should suppose that it the first, rather than the second. The pretension to it, however, un that branch, has never been set up. In support of the claim, under second, no reason has been assigned which appears to have the leweight.

The fourth claim is founded on the right of Congress to "pay the de and provide for the common defence and general welfare" of the Uni States. This claim has less reason on its side, than either of those wh we have already examined. The power of which this forms a part is pressed in the following words: "Congress shall have power to lay collect taxes, duties, imposts, and excises; to pay the debts and prov for the common defence and general welfare of the United States;

ment and phraseology which clearly show that the latter part of the clause was intended to enumerate the purposes to which the money thus raised might be appropriated. Thirdly, if this is not the real object and fair construction of the second part of this grant, it follows either that it has no import or operation whatever, or one of much greater extent than the first This presumption is evidently groundless in both instances; in the first, because no part of the constitution can be considered as useless; no sentence or clause in it without a meaning. In the second, because such a construction as made the second part of the clause an original grant, embracing the same object with the first, but with much greater power than it, would be in the highest degree absurd. The order generally observed in grants, an order founded in common sense, since it promotes a clear understanding of their import, is to grant the power intended to be conveyed in the most full and explicit manner, and then to explain or qualify it, if explanation or qualification should be necessary. This order has, it is believed, been invariably observed, in all the grants contained in the constitution. In the second, because, if the clause in question is not construed merely as an authority to appropriate the public money, it must be obvious that it conveys a power of indefinite and unlimited extent; that there would have been no use for the special powers to raise and support armies and a navy; to regulate commerce; to call forth the militia; or even to lay and collect taxes, duties, imposts, and excises. An unqualified power to pay the debts and provide for the common defence and general welfare, as the second part of this clause would be, if considered as a distinct and separate grant, would extend to every object in which the public could be interested. A power to provide for the common defence would give to Congress the command of the whole force, and of all the resources of the Union; but a right to provide for the general welfare would go much further. It would, in effect, break down all the barriers between the states and the general government, and consolidate the whole under the latter.

The powers specifically granted to Congress, are what are called the enumerated powers, and are numbered in the order in which they stand, among which that contained in the first clause holds the first place in point of importance. If the power created by the latter part of the clause is considered an original grant, unconnected with, and independent of, the first, as in that case it must be, then the first part is entirely done away, as are all the other grants in the constitution, being completely absorbed in the transcendant power granted in the latter part. But if the clause be construed in the sense contended for, then every part has an important meaning and effect; not a line, a word, in it is superfluous. A power to lay and collect taxes, duties, imposts, and excises, subjects to the call of Congress every branch of the public revenue, internal and external; and the addition, to pay the debts and provide for the common defence and general welfare, gives the right of applying the money raised, that is, of appropriating it to the purposes specified, according to a proper construction of the terms. Hence it follows, that it is the first part of the clause only, which gives a power which affects in any manner the power remaining to the states; as the power to raise money from the people, whether it be by taxes, duties, imposts, or excises, though concurrent in the states, as to taxes and excises, must necessarily do. But the use or application of the money, after it is raised, is a power altogether of a different character. It imposed no burden on the people, nor can it act on them in a sense



WAR AND STREET ON INTERNAL IMPROVEMENTS.

to the provide the states, of many sense in which power can be constituted by a consequence of extending the two governments. The appropriate of the provided power, is a right or grant which the states of the applied partially among the states, or to impose a provided grant of domestic concerns; but, still, it is a provided to the provided powers, since the only complaint which the states of the provided powers, since the only complaint which the states of the provided powers, since the only complaint which the states of the provided powers, since the only complaint which the states of the provided from the application, than by a just and the provided power catallel to. The right of appropriation to the provided provided power with the provided many and increbinal to the right of raisons and the provided power which the provided many and colors, we see a new proof of the provided was made, corresponding with the view

is a constant of separat, which provides that all duties, imposts, and experience that a throughout the United States, furnishes another standing to the machine held that the second part should constitute as a standing of the order above stand, or convey any other right than the deep lept to a. This provision operates exclusively on the power particle at the lest part of the clouse. It recites three branches of that power of the map its, and excesses those only on which it could operate the right than a not at part of the constitution. The object of this present is to a make a past equality among the states in the excreise of that power by Congress. By ploting it after both the grants, that is, and that exceeds the power by Congress. By ploting it after both the grants, that is, and that exceeds a solution of the public money, and making a apply to the method of the public money, and making a apply to the method of solutions are of the first, it is easy that the power granted in the first, it is easy, as a feet transaction of the power as that suggested had been



presented will not be without effect, but will tend to satisfy the unprejudiced and impartial that nothing more was granted, by that part, than a power to appropriate the public money raised under the other part. To what extent that power may be carried will be the next object of inquiry.

It is contended, on the one side, that, as the national government is a government of limited powers, it has no right to expend money, except in the performance of acts authorized by the other specific grants, according to a strict construction of their powers; that this grant, in neither of its branches, gives to Congress discretionary power of any kind, but is a mere instrument, in its hands, to carry into effect the powers contained in the other grants. To this construction I was inclined in the more early stage of our government; but, on further reflection and observation, my mind has

undergone a change, for reasons which I will frankly unfold.

The grant consists, as heretofore observed, of a twofold power; the first to raise, and the second to appropriate, the public money, and the terms used in both instances are general and unqualified. Each branch was obviously drawn with a view to the other, and the import of each tends to illustrate that of the other. The grant to raise money gives a power over every subject from which revenue may be drawn, and is made in the same manner with the grants to declare war, to raise and support armies and a navy, to regulate commerce, to establish postoffices and postroads, and with all the other specific grants to the general government. In the discharge of the powers contained in any of these grants, there is no other check than that which is to be found in the great principles of our system, the responsibility of the representative to his constituents. If war, for example, is necessary, and Congress declare it for good cause, their constituents will support them in it. A like support will be given them for the faithful discharge of their duties under any and every other power vested in the United States. It affords to the friends of our free governments the most heartfelt consolation to know, and from the best evidence, our own experience, that, in great emergences, the boldest measures, such as form the strongest appeals to the virtue and patriotism of the people, are sure to obtain their most decided approbation. But should the representative act corruptly, and betray his trust, or otherwise prove that he was unworthy of the confidence of his constituents, he would be equally sure to lose it, and to be removed and otherwise censured, according to his deserts. The power to raise money by taxes, duties, imposts, and excises, is alike unqualified, nor do I see any check on the exercise of it, other than that which applies to the other powers above recited, the responsibility of the representative to his constituents. Congress know the extent of the public engagements, and the sums necessary to meet them; they know how much may be derived from each branch of revenue, without pressing it too far; and, paying due regard to the interests of the people, they likewise know which branch ought to be resorted to, in the first instance. From the commencement of the government, two branches of this power, duties and imposts, have been in constant operation, the revenue from which has supported the government in its various branches, and met its other ordinary engagements. In great emergencies, the other two, taxes and excises, have likewise been resorted to, and neither was the right nor the policy ever called in question.

If we look to the second branch of this power, that which authorize the appropriation of the money thus raised, we find that it is not less y eral and unqualified than the power to raise it. More comprehensive to than to "pay the debts and provide for the common defence and general welfare," could not have been used. So intimately connected with, and dependent on, each other, are these two branches of power, that, had either been limited, the limitation would have had the like effect on the other. Had the power to raise money been conditional, or restricted to special purposes, the appropriation must have corresponded with it, for none but the money raised could be appropriated, nor could it be appropriated to other purposes than those which were permitted. On the other hand, if the right of appropriation had been restricted to certain purposes, it would be useless and improper to raise more than would be adequate to those purposes. It may fairly be inferred that these restraints or checks have been carefully and intentionally avoided. The power, in each branch, is alike broad and unqualified, and each is drawn with peculiar fitness to the other; the latter requiring terms of great extent and force to accommodate the former, which have been adopted, and both placed in the same clause and sentence. Can it be presumed that all these circumstances were so nicely adjusted by mere accident? Is it not more just to conclude that they were the result of due deliberation and design? Had it been intended that Congress should be restricted in the appropriation of the public money to such expenditures as were authorized by a rigid construction of the other specific grants, how easy would it have been to have provided for it by a declaration to that effect. The omission of such declaration is, therefore, an additional proof that it was not intended that the grant should be

It was evidently impossible to have subjected this grant, in either branch, to such restriction, without exposing the government to very serious embarrassment. How carry it into effect? If the grant had been made in any degree dependent upon the states, the government would have experienced the fate of the confederation. Like it, it would have withered and

sistent with their true import. No such declaration, however, has been made, and from the fair import of the grant, and, indeed, its positive terms, the inference that such was intended seems to be precluded.

Many considerations of great weight operate in favor of this construction, while I do not perceive any serious objection to it. If it be established, it follows that the words, "to provide for the common defence and general welfare," have a definite, safe, and useful meaning. The idea of their forming an original grant, with unlimited power, superseding every other grant, is abandoned. They will be considered, simply, as conveying a right of appropriation; a right indispensable to that of raising a revenue, and necessary to expenditures under every grant. By it, as already observed, no new power will be taken from the states, the money to be appropriated being raised under a power already granted to Congress. By it, too, the motive for giving a forced or strained construction to any of the other specific grants will, in most instances, be diminished, and, in many, utterly destroyed. The importance of this consideration can not be too highly estimated, since, in addition to the examples already given, it ought particularly to be recollected, that, to whatever extent any specific power may be carried, the right of jurisdiction goes with it, pursuing it through all its incidents. The very important agency which this grant has in carrying into effect every other grant, is a strong argument in favor of the construction contended for. All the other grants are limited by the nature of the offices which they have severally to perform, each conveying a power to do a certain thing, and that only, whereas this is coextensive with the great scheme of the government itself. It is the lever which raises and puts the whole machinery in motion, and continues the movement. Should either of the other grants fail, in consequence of any coudition or limitation attached to it, or misconstruction of its powers, much injury might follow, but still it would be the failure of one branch of power, of one item in the system only. All the others might move on. But should the right to raise and appropriate the public money be improperly restricted, the whole system might be sensibly affected, if not disorganized. Each of the other grants is limited by the nature of the grant itself. This, by the nature of the government only. Hence it became necessary that, like the power to declare war, this power should be commensurate with the great scheme of the government, and with all its purposes.

If, then, the right to raise and appropriate the public money is not restricted to the expenditures under the other specific grants, according to a strict construction of their powers respectively, is there no limitation to it? Have Congress a right to raise and appropriate the public money to any and to every purpose, according to their will and pleasure? They certainly have not. The government of the United States is a limited government, instituted for great national purposes, and for those only. Other interests are committed to the states whose duty it is to provide for them. Each government should look to the great and essential purposes for which it was instituted, and confine itself to those purposes. A state government will rarely, if ever, apply money to national purposes, without making it a charge to the nation. The people of the state would not permit it. will Congress be apt to apply money in aid of the state administrations, for purposes strictly local, in which the nation at large has no interest, although the states should desire it. The people of the other states would condemn

it. They would declare that Congress had no right to tax they a purpose, and dismiss, at the next election, such of their repu

as a directed for the measure, especially if it should be severely felt. I do not the severely felt in discount to a strict in oillers of this kind there is much danger of the two got to a stricting their interests or their duties. I rather expect to they we discount are a clear and distinct understanding of them, and

more on a contract harmony.

Concluded and consists will promote many very important national purposes. They will traditate the operations of war, the movements of the provision trade of cannon, of provisions, and every warlike store, in the consistency and to the disadvantage of the enemy in time of which the propers of commerce and political intelligence among the people. They was by lends properly directed to these objects, enhance the all code or vision bands, a treasure of vast resource to the nation. To the appear at on of the public money to improvements, having these objects in visional contents to a certain extent, I do not see any well-founded constitutional objects.

the first of the entropy of the provided they are managed with interests that it is a possible of the policy of the policy of the name general of these concerns, no state interests that the above the name state rights violated. The complete and exclusive concerns the name tested in Congress. The power to form treaties of all the name control common tested in Congress. The power to form treaties of all the name common tested in the determine on peace or war; to raise armies and a name of the first the maltine and direct their operations; belongs to the great all possible the maltine and direct their operations; belongs to the control control of the name of the said that th

answer has, it is presumed, been already given. It may, however, be proper to add, that, if this objection was well founded, it would not be confined to the simple case of internal improvements, but would apply to others of high importance. Congress have a right to regulate commerce. To give effect to this power, it becomes necessary to establish customhouses in every state along the coast, and in many parts of the interior. The vast amount of goods imported, and the duties to be performed to accommodate the merchants and secure the revenue, make it necessary that spacious buildings should be erected, especially in the great towns, for their reception. This, it is manifest could best be performed under the direction of the general government. Have Congress the right to seize the property of individuals, if they should refuse to sell it, in quarters best adapted to the purpose, to have it valued, and to take it at the valuation? Have they a right to exercise jurisdiction within those buildings? Neither of these claims has ever been set up, nor could it, as is presumed, be sustained. They have invariably either rented houses, where such as were suitable could be obtained, or, where they could not, purchased the ground of individuals, erected the buildings, and held them under the laws of the state. Under the power to establish postoffices and postroads, houses are also requisite for the reception of the mails and the transaction of the business of the several offices. These have always been rented or purchased, and held under the laws of the state, in the same manner as if they had been taken by a citizen. The United States have a right to establish tribunals inferior to the supreme court, and such have been established in every state of the Union. It is believed that the houses for these inferior courts have invariably been rented. No right of jurisdiction in them has ever been claimed, nor other right than that of privilege, and that only while the court was in session. A still stronger case may be Should Congress be compelled, by invasion or other cause, to remove the government to some town within one of the states, would they have a right of jurisdiction over such town, or hold even the house in which they held their session, under other authority than the laws of such state? It is believed that they would not. If they have a right to appropriate money for any of these purposes, to be laid out under the protection of the laws of the state, surely they have an equal right to do it for the purposes of internal improvements.

It is believed that there is not a corporation in the Union which does not exercise great discretion in the application of the money raised by it, to the purposes of its institution. It would be strange if the government of the United States, which was instituted for such important purposes, and endowed with such extensive powers, should not be allowed at least equal discretion and authority. The evil to be particularly avoided is, the violation of state-rights; shunning that, it seems to be reasonable and proper that the powers of Congress should be so construed as that the general government, in its intercourse with other nations, and in our internal concerns, should be able to adopt all such measures, lying within the fair scope, and intended to facilitate the direct objects of its powers, as the public welfare may require, and a sound and provident policy dictate.

The measures of Congress have been in strict accord with the view taken of the right of appropriation, both as to its extent and limitation, as will be shown by a reference to the laws, commencing at a very early period. Many roads have been opened, of which the following are the principal: The first, from Cumberland, at the head waters of the Potomac, in

the state of Maryland, through Pennsylvania and Virginia, to the state of Ohm Medical See vol. 4th, page 13, of the late edition of the 1 ws 12 second from the frontiers of Georgia, on the route from At the to New Orleans, to its intersection with the 31st degree of north Tripole Ap 1 018, 1806, page 58. The third, from Mississippi, at a point, and by a route described, to the Ohio: same act. The fourth, from The fifth, from the Nas a Legga Tennessee, to Natchez: same act. that he was of no challenged on the route from Athens to New Orleans. and expeditional chaons as might be agreed on between the executive and the Spirit disprovement in March 3d, 1807, page 117. The sixth, from the foot of the rights of the river Miami, of Lake Eric, to the western line of the Correction reserve: December 12th, 1811, page 364. The and the transfer Lower Sanlusky to the boundary line established by the relative Construction same act. The eighth, from a point where the The bell States on the leading from Vincennes to the Indian boundary line, 18.36 - 11 v the to its of Greenville, strikes the said line, to the North Bend, in the state of Ohio: January 8th, 1812, page 367. The ninth, for repairing, in keeping in repair, the road between Columbia, on Duck tiver, to Tentossee, and Madisonville, in Louisiana; and also the road Serve in Fort Hawkins, in Georgia, and Fort Stoddard: April 27th, 1816, the O'r or yer, to the Sabine, and to Kaskaskias, in Illinois: April 27th, 4870, page 442. The eleventh, from Reynoldsburg, on Tennessee river, in the state of Tennessee, through the Chickasaw nation, to intersect the National road new the Chickasaw old town: March 3d, 1817, page 252. The (wellth) by the set, authority was given to the president to appoint three courses seems to the purpose of examining the country, and laying contactoral from the term amon of the Cumberland road, at Wheeling, on the Ohio, through the states of Ohio, Indiana, and Illinois, to a point to

seat of government, the eastern with the western waters, and more intimately the Atlantic with the western states, in the formation of which 1,800,000 dollars have been expended. The measures pursued in this case require to be particularly noticed, as fixing the opinion of the parties, and particularly of Congress, on the important question of the right. Passing through Maryland, Pennsylvania, and Virginia, it was thought necessary and proper to bring the subject before their respective legislatures, to obtain their sanction, which was granted by each state, by a legislative act, approving the route and providing for the purchase and condemnation of the land. This road was founded on an article of compact between the United States and the state of Ohio, under which that state came into the Union, and by which the expense attending it was to be defrayed by the application of a certain portion of the money arising from the sale of the public lands within that state. In this instance, which is by far the strongest, in respect to the expense, extent, and nature of the work done, the United States have exercised no act of jurisdiction or sovereignty within either of the states, by taking the land from the proprietors by force; by passing acts for the protection of the road; or to raise a revenue from it by the establishment of turnpikes and tolls; or any other act founded on the principle of jurisdiction or right. Whatever they have done has, on the contrary, been founded on the opposite principle; on the voluntary and unqualified admission that the sovereignty belonged to the state and not to the United States; and that they could perform no act which should tend to weaken the power of the state, or to assume any to themselves. All that they have done has been to appropriate the public money to the construction of this road, and to cause it to be constructed; for I presume that no distinction can be taken between the appropriation of money raised by the sale of the public lands, and of that which arises from taxes, duties, imposts, and excises; nor can I believe that the power to appropriate derives any sanction from a provision to that effect having been made by an article of compact between the United States and the people of the then territory of Ohio. This point may, however, be placed in a clearer light by a more particular notice of the article itself.

By an act of April 30, 1802, entitled, "An act to enable the people of the eastern division of the territory northwest of the river Ohio to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states, and for other purposes," after describing the limits of the proposed new state, and authorizing the people thereof to elect a convention to form a constitution, the three following propositions were made to the convention, to be obligatory on the United States, if accepted by it: first, that section number sixteen of every township, or, where such section had been sold, other lands equivalent thereto, should be granted to the inhabitants of such township for the use of free schools. Second, that the six miles reservation, including the salt springs commonly called the Sciota salt springs; the salt springs near the Muskingum river, and in the military tract, with the sections which include the same, should be granted to the said state, for the use of the people thereof, under such regulations as the legislature of the state should prescribe: provided, that it should never sell or lease the same for more than ten years. Third, that one twentieth part of the proceeds of the public lands lying within the said state, which might be sold by Congress, from and after the 30th June ensuing, should be applied to the laying out and making public roads from the navigable waters emptying into the Atlantic, to the Ohio, and through the state of Ohio; such roads to be laid out under the authority of Congress, with the consent of the several states through which they should pass.

These three propositions were made on the condition that the convention of the state should provide, by an ordinance, irrevocable without the consent of the United States, that every tract of land sold by Congress, after the 30th of June ensuing, should remain, for the term of five years

after sale, exempt from every species of tax whatsoever.

It is impossible to read the ordinance of the 23d of April, 1784, or the provisions of the act of April 30th, 1802, which are founded on it, without being profoundly impressed with the enlightened and magnanimous policy which dictated them. Anticipating that the new states would be settled by the inhabitants of the original states and their offspring, no narrow or contracted jealousy was entertained of their admission into the Union, in equal participation in the national sovereignty with the original states. It was foreseen at the early period at which that ordinance passed, that the expansion of our Union to the lakes and to the Mississippi and all its waters, would not only make us a greater power, but cement the Union itself. These three propositions were well calculated to promote these great results. A grant of land to each township, for free schools, and of the salt springs to the state, which were within its limits, for the use of its citizens, with five per cent, of the money to be raised from the sale of lands within the state, for the construction of roads between the original states and the new state, and of other roads within the state, indicated a spirit not to be mistaken, nor could it fail to produce a corresponding effect in the bosoms of those to whom it was addressed. For these considerations the sole return required of the convention was, that the new state should not tax the public lands which might be sold by the United States

compacts with the other new states, I deem it unnecessary to take a particular notice of them.

It is proper to observe that the money which was employed in the construction of all the other roads, was taken directly from the treasury. This fact affords an additional proof, that, in the contemplation of Congress, no difference existed in the application of money to those roads, between that which was raised by the sale of lands, and that which was derived from taxes, duties, imposts and excises.

So far, I have confined my remarks to the acts of Congress respecting the right of appropriation to such measures only as operate internally and affect the territory of the individual states. In adverting to those which operate externally and relate to foreign powers, I find only two which appear to merit particular attention. These were gratuitous grants of money for the relief of foreigners in distress; the first in 1794, to the inhabitants of St. Domingo, who sought an asylum on our coast from the convulsions and calamities of the island; the second, in 1812, to the people of Caraccas, reduced to misery by an earthquake. The considerations which were applicable to these grants have already been noticed and need not be repeated.

In this examination of the right of appropriation, I thought it proper to present to view, also, the practice of the government under it, and to explore the ground on which each example rested, that the precise nature and extent of the construction thereby given of the right might be clearly understood. The right to raise money would have given, as is presumed, the right to use it, although nothing had been said to that effect in the constitution. And where the right to raise it is granted, without special limitation, we must look for such limitation to other causes. Our attention is first drawn to the right to appropriate, and not finding it there, we must then look to the general powers of the government, as designated by the specific grants, and to the purposes contemplated by them, allowing to this the right to raise money, the first and most important of the enumerated powers, a scope which will be competent to those purposes. The practice of the government, as illustrated by numerous and strong examples directly applicable, ought surely to have great weight in fixing the construction of each grant. It ought, I presume, to settle it, especially where it is acquiesced in by the nation, and produces a manifest and positive good. practical construction, thus supported, shows that it has reason on its side. and is called for by the interests of the Union. Hence, too, the presumption that it will be persevered in. It will, surely, be better to admit that the construction given by these examples has been just and proper, than to deny that construction and still to practise on it—to say one thing and to do another.

Wherein consists the danger of giving a liberal construction to the right of Congress to raise and appropriate the public money? It has been shown that its obvious effect is to secure the rights of the states from encroachment and greater harmony in the political movement between the two governments, while it enlarges, to a certain extent, in the most harmless way, the useful agency of the general government for all the purposes of its institution. Is not the responsibility of the representative to his constituent, in every branch of the general government, equally strong, and as sensibly felt, as in the state governments? and is not the security against abuse as effectual in the one as in the other government? The history of the general government, in all its measures, fully demonstrates that Congress

will never venture to impose unnecessary burdens on the people, or any that can be avoided. Duties and imposts have always been light, not greater, perhaps, than would have been imposed for the encouragement of our manufactures, had there been no occasion for the revenue arising from them; and taxes and excises have never been laid, except in cases of necessity, and repealed as soon as the necessity ceased. Under this mild process, and the sale of some hundreds of millions of acres of good land, the government will be possessed of money, which may be applied with great advantage to national purposes. Within the states only will it be applied, and, of course, for their benefit, it not being presumable that such appeals as were made to the benevolence of the country, in the instances of the inhabitants of St. Domingo and Caraccas, will often occur. How, then, shall this revenue be applied? Should it be idle in the treasury? That our resources will be equal to such useful purposes, I have no doubt, especially if. by completing our fortifications, and raising and maintaining our navy at the point provided for, immediately after the war, we sustain our present altitude, and preserve, by means thereof, for any length of time, the peace of the Union.

When we hear charges raised against other governments of breaches of their constitutions, or rather of their charters, we always anticipate the most serious consequences: communities deprived of privileges which they have long enjoyed, or individuals oppressed and punished, in violation of the ordinary forms and guards of trial to which they were accustomed and entitled. How different is the situation of the United States! Nor can anything mark more strongly the great characteristics of that difference, than the grounds on which like charges are raised against this government. It is not alleged that any portion of the community, or any individual, has been oppressed, or that money has been raised under a doubtful title. The principal charges are, that a work of great utility to

The substance of what has been urged on this subject may be expressed in a few words. My idea is, that Congress have an unlimited power to raise money, and that in its appropriation, they have a discretionary power, restricted only by the duty to appropriate it to purposes of common defence, and of general, not local, national, not state, benefit.

I will now proceed to the fifth source from which the power is said to be derived, viz. The power to make all laws which shall be necessary and proper for carrying into execution all the power vested by the constitution in the government of the United States, or in any department or officer thereof. This is the 17th and last of the enumerated powers

granted to Congress.

I have always considered this power as having been granted on a principle of greater caution to secure the complete execution of all the powers which had been vested in the general government. It contains no distinct and specific power, as every other grant does, such as to lay and collect taxes, to declare war, to regulate commerce, and the like. Looking to the whole scheme of the general government, it gives to Congress authority to make all laws which should be deemed necessary and proper for carrying all its powers into effect. My impression has been invariably, that this power would have existed, substantially, if this grant had not been made; for why is any power granted, unless it be to be executed when required, and how can it be executed under our government, unless it be by laws necessary and proper for the purpose, that is, well adapted to the end? It is a principle universally admitted, that a grant of a power conveys, as a necessary consequence or incident to it, the means of carrying it into effect, by a fair construction of its import. In the formation, however, of a constitution which was to act directly upon the people, and be paramount, to the extent of its powers, to the constitutions of the states, it was wise in its framers to leave nothing to implication which might be reduced to certainty. It is known that all power which rests solely on that ground has been systematically and zealously opposed under all governments with which we have any acquaintance; and it was reasonable to presume that, under our system, where there was a division of the sovereignty between two independent governments, the measures of the general government would excite equal jealousy, and produce an opposition not less systematic. though, perhaps, less violent. Hence the policy, by the framers of our government, of securing, by a fundamental declaration in the constitution, a principle which, in all other governments, had been left to implication only. The terms necessary and proper secure to the powers of all the grants, to which the authority given in this is applicable, a fair and sound construction, which is equally binding, as a rule, on both governments, and on all their departments.

In examining the right of the general government to adopt and execute, under this grant, a system of internal improvement, the sole question to be decided is, whether the power has been granted under any of the other grants. If it has, this power is applicable to it, to the extent stated. If it has not, it does not exist at all, for it has not been hereby granted. I have already examined all the other grants (one only excepted, which will next claim attention), and shown, as I presume, on the most liberal construction of their powers, that the right has not been granted by any of them Hence it follows, that, in regard to them, it has not been granted by this.

I come now to the last source from which this power is said to be derived, viz., the power to dispose of, and make all needful rules and regu-

Let only (e.g., than, the territory or other property of the United States, while a control of the fourth transfer of the state, on

To across the common of the nature and extent of this power, it will be access any to mag into view the provisions contained in the first clause of the section of the naticle referred to, which makes an essential part of the patient of the patient of the hand, into that no new states shall be admitted into the financial at that no new state shall be formed, or erected, with a companion of the original states, or parts of states, without the consent of the large that so the states concerned, as well as of the United States.

If we recent to the condition of our country, at the commencement of the revolution, we have the origin and cause of these provisions. By the chargers of the second colonies, limits by latitude and other descriptions. were assigned the even. In commencing the revolution, the colonies, as has an any second of the claimed by those limits, although their population extended, ta many histances, to a small portion of the territory lying within them. It was contended, by some of the states, after the declarato most independence, that the vacant lands, lying within any of the states. samuely come the property of the Union, as, by a common exertion, they would be acquired. This claim was resisted by the others, on the princithe trading the states entered into the contest in the full extent of their can tend agains, and that they ought to have the full benefit of those rights in the event of spacess. Happily, this controversy was settled, as all interfering claims and prefensions, between the members of our Union, and between the general government, and any of these members, have need, have most amount manner, and to the satisfaction of all parties. On the recommendation of Congress, the individual states, having such territory within their chartered limits, coded large portions thereof to the moment, the United States have no jurisdiction or power in the new states, other than in the old, nor can it be obtained except by an amendment of the constitution.

Since then it is manifest that the power granted to Congress to dispose of, and make all needful regulations respecting, the territory and other property of the United States, relates solely to the territory and property which had been ceded by individual states, and which, after such cession, lay without their respective limits, and for which special provision was deemed necessary, the main powers of the constitution operating internally, not being applicable or adequate thereto, it follows that this power gives no authority, and has even no bearing on the question of internal improve-The authority to admit new states and to dispose of the property and regulate the territory, is not among the enumerated powers granted to Congress, because the duties to be performed under it are not among the ordinary duties of that body, like the imposition of taxes, the regulation of commerce, and the like. They are objects in their nature special, and

for which special provision was more suitable and proper.

Having now examined all the powers of Congress, under which the right to adopt and execute a system of internal improvement is claimed. and the reasons in support of it, in each instance, I think that it may fairly be concluded that such a right has not been granted. It appears, and is admitted, that much may be done in aid of such a system, by the right which is derived from several of the existing grants, and more especially from that to appropriate the public money. But still it is manifest, that, as a system for the United States, it can never be carried into effect, under that grant, nor under all of them united, the great and essential power being deficient; consisting of a right to take up the subject on principle; to cause our Union to be examined by men of science, with a view to such improvements: to authorize commissioners to lay off the roads and canals in all proper directions; to take the land at a valuation if necessary, and to construct the works; to pass laws, with suitable penalties for their protection; and to raise a revenue from them; to keep them in repair, and make further improvement, by the establishment of turnpikes and tolls, with gates to be placed at the proper distances.

It need scarcely be remarked, that this power will operate, like many others now existing, without affecting the sovereignty of the states, except in the particular offices to be performed. The jurisdiction of the several states may still exist over the roads and canals within their respective limits, extending alike to persons and property, as if the right to make and protect such improvements had not been vested in Congress. The right being made commensurate simply with the purposes indispensable to the system, may be strictly confined to them. The right of Congress to protect the works, by laws, imposing penalties, would operate on the same principle as the right to protect the mail. The act being punishable only, a jurisdiction over the place would be altogether unnecessary and even

In the preceding inquiry, little has been said of the advantages which would attend the exercise of such a power by the general government. I have made the inquiry under a deep conviction that they are almost incalculable, and that there was a general concurrence of opinion among our fellow-citizens to that effect. Still it may not be improper for me to state the grounds upon which my own impression is founded. If it sheds no additional light on this interesting part of the subject, it will, at least,

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show that I have had more than one powerful motive for making the in-

ouiry. A general idea is all that I shall attempt.

The advantages of such a system must depend upon the interests to be affected by it, and the extent to which they may be affected, and those must depend on the capacity of our country for improvement, and the

means at its command applicable to that object.

I think that I may venture to affirm that there is no part of our globe, comprehending so many degrees of latitude on the main ocean, and so many degrees of longitude into the interior, that admits of such great improvement, and at so little expense. The Atlantic, on the one side, and the lakes, forming almost inland seas, on the other; separated by high mountains which rise in the valley of the St. Lawrence, and terminate in that of the Mississippi, traversing from north to south, almost the whole interior; with innumerable rivers on every side of those mountains, some of vast extent, many of which take their sources near to each other, give the great outline; the details are to be seen on the valuable maps of our

country.

It appears, by the light already before the public, that it is practicable and easy to connect, by canals, the whole coast, from its southern to its northern extremity, in one continued inland navigation; and to connect, in like manner, in many parts, the western lakes and rivers with each other. It is equally practicable and easy to facilitate the intercourse between the Atlantic and the western country, by improving the navigation of many of the rivers, which have their sources near to each other in the mountains, on each side, and by good roads across the mountains, between the highest navigable points of those rivers. In addition to the example of the Cumberland road, already noticed, another of this kind is now in train, from the head waters of the river James to those of the Kanawka; and in like manner may the Savannah be connected with the Tennessee.

connected route from north to south at the commencement of the revolution; and that a very imperfect one. The existence and principle of our union point out the necessity of a very different policy.

The advantages which would be derived from such improvements are calculable. The facility which would thereby be afforded to the transportation of the whole of the rich productions of our country to market. would alone more than amply compensate for all the labor and expense attending them. Great, however, as is that advantage, it is one only of many, and by no means the most important. Every power of the general government and of the state governments, connected with the strength and resources of the country, would be made more efficient for the purposes intended by them. In war, they would facilitate the transportation of men, ordnance, and provisions, and munitions of war, of every kind, to every part of our extensive coast and interior, on which an attack might be made or threatened. Those who have any knowledge of the occurrences of the late war, must know the good effect which would result in the event of another war, from the command of an interior navigation alone, along the coast, for all the purposes of war, as well as of commerce. between the different parts of our Union. The impediments to all military operations, which proceeded from the want of such a navigation, and the reliance which was placed, notwithstanding those impediments, on such a commerce, can not be forgotten. In every other line their good effect would be most sensibly felt. Intelligence by means of the postoffice department would be more easily, extensively, and rapidly diffused. Parts the most remote from each other would be brought more closely together. Distant lands would be made more valuable, and the industry of our fellow-citizens, on every portion of our soil, be better rewarded.

It is natural in so great a variety of climate, that there should be a corresponding difference in the produce of the soil; that one part should raise what the other might want. It is equally natural that the pursuits of industry should vary in like manner; that labor should be cheaper, and manufactures succeed better, in one part than in another. That where the climate was most severe and the soil less productive, navigation, the fisheries, and commerce, should be most relied on. Hence, the motive for an exchange for mutual accommodation, and active intercourse, between them. Each part would thus find for the surplus of its labor, in whatever article it consisted, an extensive market at home, which would be the most profitable because free from duty.

There is another view in which these improvements are still of more vital importance. The effect which they would have on the bond of union itself, affords an inducement for them, more powerful than any which have been urged, or than all of them united. The only danger to which our system is exposed arises from its expansion over a vast territory. Our Union is not held together by standing armies, or by any ties, other than the positive interests and powerful attractions of its parts toward each other. Ambitious men may hereafter grow up among us, who may promise to themselves advancement from a change, and by practising upon the sectional interests, feelings, and prejudices, endeavor, under various pretexts, to promote it. The history of the world is replete with examples of this kind; of military commanders and demagogues becoming usurpers and tyrants, and of their fellow-citizens becoming their instruments and slaves. I have little fear of this danger, knowing well how strong the bond which holds us together is, and who the people are, who

are thus held together; but still it is proper to look at, and to provide against it, and it is not within the compass of human wisdom to make a more effectively provision, than would be made by the proposed improvements. With their aid, and the intercourse which would grow out of them, the parts would soon become so compacted and bound together that nothing could break it.

The expansion of our Union over a vast territory can not operate unfavorably to the states individually. On the contrary, it is believed that the greater the expansion, within practicable limits, and it is not easy to say what are not so, the greater the advantage which the states individually will derive from it. With governments separate, vigorous, and efficient for all local purposes, their distance from each other can have no injurions effect upon their respective interests. It has already been shown. that, in some important circumstances, especially with the aid of these unprovements, they must derive great advantage from that cause alone, that is, from their distance from each other. In every other way, the expansion of our system must operate favorably for every state, in proportion as it operates favorably for the Union. It is in that sense only that it can become a question with the states, or rather with the people who compose them. As states, they can be affected by it only by their relation to each other through the general government, and by its effect on the operations of that government. Manifest it is, that to any extent to which the general government can sustain and execute its functions with complete effect, will the states, that is, the people who compose them, be benefited. It is only when the expansion shall be carried beyond the faculties of the general government. so as to enfeeble its operations, to the injury of the whole, that any of the parts can be injured. The tendency, in that stage, will be to dismemberment, and not to consolidation. This danger should, therefore, be looked at with profound attention, as one of a very serious character.



any way interested. A range of states, on the western side of the Mississippi, which already is provided for, puts us essentially at ease. Whether it will be wise to go further, will turn on other considerations than those which have dictated the course heretofore pursued. At whatever point we may stop, whether it be at a single range of states beyond the Mississippi, or by taking a greater scope, the advantage of such improvements is deemed of the highest importance. It is so, on the present scale. The

further we go, the greater will be the necessity for them.

It can not be doubted, that improvements for great national purposes would be better made by the national government, than by the governments of the several states. Our experience, prior to the adoption of the constitution, demonstrated, that, in the exercise by the individual states of most of the powers granted to the United States, a contracted rivalry of interests, and misapplied jealousy of each other, had an important influence on all their measures, to the great injury of the whole. This was particularly exemplified by the regulations which they severally made, of their commerce with foreign nations, and with each other. It was this utter incapacity in the state governments, proceeding from these and other causes, to act as a nation, and to perform all the duties which the nation owed to itself, under any system which left the general government dependent on the states, which produced the transfer of these powers to the United States, by the establishment of the present constitution.—The reasoning which was applicable to the grant of any of the powers now vested in Congress, is likewise so, at least to a certain extent, to that in question. It is natural that the states, individually, in making improvements, should look to their particular and local interests. The members composing their respective legislatures represent the people of each state, only, and might not feel themselves at liberty to look to objects, in these respects, beyond that limit. If the resources of the Union were to be brought into operation under the direction of the state assemblies, or in concert with them, it may be apprehended that every measure would become the object of negotiation, of bargain and barter, much to the disadvantage of the system, as well as discredit to both governments. But Congress would look to the whole, and make improvements to promote the welfare of the whole. It is the peculiar felicity of the proposed amendment, that while it will enable the United States to accomplish every national object, the improvements made with that view will eminently promote the welfare of the individual states, who may also add such others as their own particular interests may require.

The situation of the Cumberland road requires the particular and early attention of Congress. Being formed over very lofty mountains, and in many instances over deep and wide streams, across which valuable bridges have been erected, which are sustained by stone walls, as are many other parts of the road, all these works are subject to decay, have decayed, and will decay rapidly, unless timely and effectual measures are adopted to

prevent it.

The declivities from the mountains, and all the heights, must suffer from the frequent and heavy falls of water, and its descent to the valleys, as also from the deep congelations during our severe winters. Other injuries have also been experienced on this road, such as the displacing the capping of the walls, and other works, committed by worthless people, either from a desire to render the road impassable, or to have the transportation in another direction, or from a spirit of wantonness to create employ-

ment for idlers. These considerations show, that an active and strict police ought to be established over the whole road, with power to make repairs when necessary; to establish turnpikes and tolls, as the means of raising money to make them; and to prosecute and punish those who commit waste and other injuries.

Should the United States be willing to abandon this road to the states through which it passes, would they take charge of it, each of that portion within its limits, and keep it in repair? It is not to be presumed that they would, since the advantages attending it are exclusively national, by connecting, as it does, the Atlantic with the western states, and in a line with the seat of the national government. The most expensive parts of this road lie within Pennyslvania and Virginia, very near the confines of each state, and in a route not essentially connected with the commerce of either

If it is thought proper to vest this power in the United States, the only mode in which it can be done, is, by an amendment of the constitution. The states, individually, can not transfer the power to the United States, nor can the United States receive it. The constitution forms an equal and the sole relation between the general government and the several states; and it recognises no change in it, which shall not, in like manner apply to all. If it is once admitted, that the general government may form compacts with individual states, not common to the others, and which the others might even disapprove, into what pernicious consequences might it not lead? Such compacts are utterly repugnant to the principles of the constitution, and of the most dangerous tendency. The states, through which this road passes, have given their sanction only to the route, and to the acquisition of the soil by the United States-a right very different from that of jurisdiction, which can not be granted without an amendment to the constitution, and which need not be granted for the purposes of this system, except in the limited tofore stead On fell anneldersting should

### SPECIAL MESSAGE.

JANUARY 5, 1825.

To the Senate and House of Representatives of the United States:-

As the term of my service in this high trust will expire at the end of the present session of Congress, I think it proper to invite your attention to an object very interesting to me, and which, in the movement of our government, is deemed, on principle, equally interesting to the public. I have been long in the service of my country, and in its difficult conjunctures, as well abroad as at home, in the course of which I have had a control over public moneys to a vast amount. If, in the course of my service, it shall appear, on the most severe scrutiny, which I invite, that the public have sustained any loss by any act of mine, or of others, for which I ought to be held responsible. I am willing to bear it. If, on the other hand, it shall appear, on a view of the law, and of precedents in other cases, that justice has been withheld from me, in any instance, as I have believed it to be in many, and greatly to my injury, it is submitted whether it ought not to be rendered. It is my wish that all matters of account and claims between my country and myself be settled, with that strict regard to justice which is observed in settlements between individuals in private life. It would be gratifying to me, and it appears to be just, that the subject should be now examined, in both respects, with a view to a decision hereafter. No bill would, it is presumed, be presented for my signature, which would operate either for or against me, and I would certainly sanction none in my favor. While here, I can furnish testimony, applicable to any case, in both views, which a full investigation may require, and the committee to whom the subject may be referred, by reporting facts now, with a view to a decision after my retirement, will allow time for further information, and due consideration of all matters relating thereto. Settlements with a person in this trust, which could not be made with the accounting officers of government, should always be made by Congress, and before the public. The cause of the delay in presenting these claims will be explained to the committee to whom the subject may be referred. It will, I presume, be made apparent that it was inevitable; that, from the peculiar circumstances attending each case, Congress alone could decide on it; and that, from considerations of deliicacy, it would have been highly improper for me to have sought it from Congress at an earlier period than that which is now proposed—the expiration of my term in this high trust.

Other considerations appear to me to operate with great force in favor of the measure which I now propose. A citizen who has long served his country in its highest trusts, has a right, if he has served with fidelity, to enjoy undisturbed tranquillity and peace in his retirement. This he can not expect to do, unless his conduct, in all pecuniary concerns, shall be placed, by severe scrutiny, on a basis not to be shaken. This, therefore, forms a strong motive with me for the inquiry which I now invite. The public may also derive considerable advantage from the precedent, in the future movement of the government. It being known that such scrutiny was made in my case, it may form a new, strong barrier against the abuse of the public confidence in future.

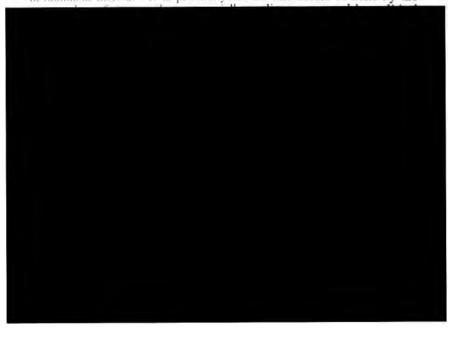
## SPECIAL MESSAGE.

JANUARY 10, 1825.

To the House of Representatives of the United States :-

I sugar: hasten to communicate to you the documents called for by the resolution of the house of representatives of the 4th instant, relating to the conduct of the officers of the mayy of the United States on the Pacific ocean, and of other public agents in South America, if such communication mucht now be much consistently with the public interest, or with justice to the parties concerned. In consequence of several charges which have been alleged against Commodore Stewart, touching his conduct while communding the squadron of the United States on that sea, it has been deemed proper to suspend him from duty, and to subject him to trial on these charges. It appearing, also, that some of those charges have been communicated to the department by Mr. Provost, political agent at this time of the United States at Peru, and heretofore at Buenos Ayres and Chili, and apparently with his sanction, and that charges have likewise been made against him by citizens of the United States engaged in commoree in that quarter, it has been thought equally just and proper that he should are ad here, as well to furnish the evidence in his possession applicible to the charges exhibited against Commodore Stewart, as to answer such as have been exhibited against himself.

In this stage, the publication of those documents might tend to excite prepulices, which might operate to the injury of both. It is important that the public servants, in every station, should perform their duty with fidelity, according to the injunctions of the law, and the orders of the executive in initialment thereof: It is peculiarly so that this should be done by the



the removal of the tribes within the limits of the state of Georgia the motive has been peculiarly strong, arising from the compact with that state, whereby the United States are bound to extinguish the Indian title to the lands within it, whenever it may be done peaceably and on reasonable conditions. In the fulfilment of this compact, I have thought that the United States should act with a generous spirit; that they should omit nothing which should comport with a liberal construction of the instrument, and likewise be in accordance with the just rights of those tribes. From the view which I have taken of the subject. I am satisfied that, in the discharge of these important duties, in regard to both the parties alluded to. the United States will have to encounter no conflicting interests with either. On the contrary, that the removal of the tribes from the territory which they now inhabit, to that which was designated in the message at the commencement of the session, which would accomplish the object for Georgia, under a well-digested plan for their government and civilization, which should be agreeable to themselves, would not only shield them from impending ruin, but promote their welfare and happiness. Experience has clearly demonstrated that, in their present state, it is impossible to incorporate them in such masses, in any form whatever, into our system. It has also demonstrated, with equal certainty, that, without a timely anticipation of, and provision against, the dangers to which they are exposed, under causes which it will be difficult, if not impossible to control, their degradation and extermination will be inevitable.

The great object to be accomplished is, the removal of those tribes to the territory designated, on conditions which shall be satisfactory to themselves, and honorable to the United States. This can be done only by conveying to each tribe a good title to an adequate portion of land, to which it may consent to remove, and by providing for it there a system of internal government, which shall protect their property from invasion, and, by the regular progress of improvement and civilization, prevent that degeneracy which has generally marked the transition from the one to the other state.

I transmit, herewith, a report from the secretary of war, which presents the best estimate which can be formed, from the documents in that department, of the number of Indians within our states and territories, and of the amount of lands held by the several tribes within each; of the state of the country lying northward and westward thereof, within our acknowledged boundaries; of the parts to which the Indian title has already been extinguished, and of the conditions on which other parts, in an amount which may be adequate to the object contemplated, may be obtained. By this report it appears, that the Indian title has already been extinguished to extensive tracts in that quarter, and that other portions may be acquired, to the extent desired, on very moderate conditions. Satisfied I also am, that the removal proposed is not only practicable, but that the advantages attending it, to the Indians, may be made so apparent to them, that all the tribes, even those most opposed, may be induced to accede to it at no very distant day.

The digest of such a government, with the consent of the Indians, which should be endowed with sufficient powers to meet all the objects contemplated; to connect the several tribes together in a bond of unity, and preserve order in each; to prevent intrusions on their property; to teach them, by regular instructions, the arts of civilized life, and make them a civilized people, is an object of very high importance. It is the

powerful consideration which we have to offer to these tribes, as an inducement to relinquish the lands on which they now reside, and to remove to those which are designated. It is not doubted that this arrangement will present considerations of sufficient force to surmount all their prejudices in favor of the soil of their nativity, however strong they may be. Their elders have sufficient intelligence to discern the certain progress of events in the present train, and sufficient virtue, by yielding to momentary sacrifices, to protect their families and posterity from inevitable destruction. They will also perceive, that they may thus attain an elevation to

which, as communities, they could not otherwise aspire.

To the United States, the proposed arrangement offers many important advantages, in addition to those which have been already enumerated. By the establishment of such a government over these tribes, with their consent, we become in reality their benefactors. The relation of conflicting interests, which has heretofore existed between them and our frontier settlements, will cease. There will be no more wars between them and the United States. Adopting such a government, their movements will be in harmony with us, and its good effect be felt throughout the whole extent of our territory, to the Pacific. It may fairly be presumed that through the agency of such a government, the condition of all the tribes inhabiting that vast region may be essentially improved; that permanent peace may be preserved with them, and our commerce be much extended With a view to this important object, I recommend it to Congress to adopt, by solemn declaration, certain fundamental principles in accord with those above suggested, as the basis of such arrangements as may be entered into with the several tribes, to the strict observance of which, the faith of the nation shall be pledged I recommend it also to Congress to provide by law for the appointment of a suitable number of commission-

ers, who shall, under the directions of the president, be authorized to visit

rivers; the Delaware and the Raritan; between Buzzard's and Barnstable bays, and the Narraganset roads and Boston harbor; with explanatory observations on each route. From the view which I have taken of these reports, I contemplate results of incalculable advantage to our Union, because. I see in them the most satisfactory proof that certain impediments which had a tendency to embarrass the intercourse between some of its most important sections, may be removed without serious difficulty; and that facilities may be afforded in other quarters, which will have the happiest effect. Of the right in Congress to promote these great results, by the appropriation of the public money, in harmony with the states to be affected by them, having already communicated my sentiments fully, and on mature consideration, I deem it unnecessary to enlarge at this time.

### SPECIAL MESSAGE.

FEBRUARY 17, 1825.

To the Senate and House of Representatives of the United States:-

I INVITE the attention of Congress to the peculiar situation of this district, in regard to the exposure of its inhabitants to contagious diseases from abroad; against which it is thought that adequate provisions should now be made. The exposure being common to the whole district, the regulation should apply to the whole; to make which, Congress alone possesses the adequate power. That the regulations should be made by Congress, is the more necessary, from the consideration, that this being the seat of government, its protection against such diseases must form one of its principal objects.

#### SPECIAL MESSAGE.

FEBRUARY 21, 1825.

To the Senate and House of Representatives of the United States :-

I TRANSMIT, herewith, a report from the secretary of war, with a report to him from the third auditor, of the settlements, in the amount stated, of the claims of the state of Massachusetts, for services rendered by the militia of that state, in the late war, the payment of which has hitherto been prevented by causes which are well known to Congress. Having communicated my sentiments on this subject fully, in a message bearing date on the 23d of February, 1824, it is unnecessary to repeat in detail, here, what I then advanced. By recurring to that message, and to the documents referred to in it, it will be seen that the conduct of the executive of that state, in refusing to place the militia thereof, at that difficult conjuncture, under the direction of the executive of the United States, as he was bound to do by a fair construction of the constitution, and as the other states did, is the great cause to which the difficulty adverted to is to be ascribed. It will also be seen, on a view of those documents, that the executive of the state was warned at the time, if it persevered in the re-

fusal, that the consequences which have followed would be inevitable: that the attitude assumed by the state, formed a case which was not contemplated by the existing laws of the United States, relating to the militia services; that the payment of the claims of the state, for such services, could be provided for by Congress only, and by a special law for the purpose, Having made this communication while acting in the department of war, to the governor of Massachusetts, with the sanction and under the direction of my enlightened and virtuous predecessor, it would be improper, in any view which may be taken of the subject, for me to change the ground there assumed, to withdraw this great question from the consideration of Congress, and to act on it myself. Had the executive been in error, it is entitled to censure, making a just allowance for the motive which guided it. If its conduct was correct, the ground then assumed ought to be maintained by it. It belongs to Congress alone to determine this distressing incident on just principles, with a view to the highest interests of our Union.

From the view which I have taken of the subject, I am confirmed in the opinion that Congress should now decide on the claim, and allow to the state such portions thereof as are founded on the principles laid down in the former message. If those principles are correct, as, on great consideration, I am satisfied they are, it appears to me to be just in itself, and of high importance, that the sums which may be due, in conformity therewith, should no longer be withheld from the state.

SPECIAL MESSAGE.

FEBRUARY 26, 1825.

# ADMINISTRATION OF MONROE.

On the fourth of March, 1817, the president elect, James Monroe, accompanied by the vice-president elect, Daniel D. Tompkins, left the residence of the former, attended by a large concourse of citizens on horseback, and marshalled by the gentlemen appointed to that duty, and proceeded to Congress Hall, in Washington city, where the usual ceremonies of inauguration were performed. The ex-president, Mr. Madison, and the judges of the supreme court, were present on the occasion. All entered the chamber of the senate, which body was then in session, and the vice-president took the chair, the oath of office being administered to him, when he delivered a short address.

This ceremony being ended, the senate adjourned, and the president and vice-president, the judges of the supreme court, and the senators present, attended the president to the elevated portico temporarily erected for the occasion, where, in the presence of an immense concourse of citizens and strangers, including the government officers and foreign ministers, he delivered his inaugural address.

Having concluded his address, the oath of office was administered to the president by Chief-Justice Marshall.

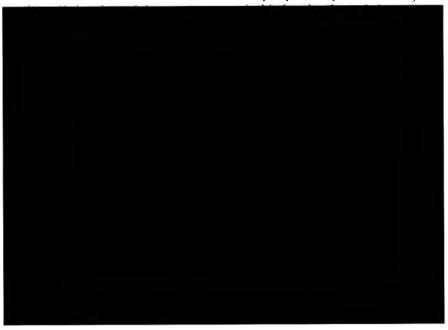
The liberal tone of the president's address, and the course of policy indicated by it, gave general satisfaction to citizens of all political opinions, and the commencement of the new administration was hailed as the dawn of an era of good feelings.

The individuals selected by the president to form his cabinet, were all of the republican, or democratic school of politics, and distinguished for their ability as statesmen, in various public stations which they had previously held. John Quincy Adams, of Massachusetts, was appointed secretary of state, William H. Crawford, of Georgia, secretary of the treasury, John C. Calhoun, of South Carolina, secretary of war, and William Wirt, of Virginia, attorney-general. The two latter gentlemen were appointed in December, 1817, Mr. Calhoun having been named in place of Governor Isaac Shelby, of Kentucky, who declined the offer of head of the war department, which was first offered to him. Benjamin W. Crowninshield, of Massachusetts, was continued as secretary of the navy (which appoint-

ment looked received from Mr. Madison) until November 30, 1818, when Serich Thempson, of New York, was appointed in his place. Return Jonewick Medges, of Ohio, was also continued as postmaster-general (not then a colone) officer), and held that office from March, 1814, until December, 1823, when John Millean, of Ohio, succeeded him. The foregoing were the only changes made by Mr. Monroe in the cabinet or heads of departments, in the eight years of his administration, showing greater permanency and harmonly in the affairs of the national government, during that period, than at any other time since the adoption of the federal constitution.

During the late war with Great Britain, a practical opportunity was afforded to the government of the United States to discover the relative importance of the detences erected along the frontier, and the strength and utility of the various fortified places on the Atlantic coast. The frequent and sometimes successful incursions of the late enemy, enforced the necessity of selecting new points for the erection of strong and efficient batteries to protect the country against future invasion; of demolishing such works as were thence found to have been constructed in improper situations; and of concentrating the regular forces at such positions as should render their co-operation speedy and effective.

Impressed with the magnitude of this subject, Mr. Monroe had no sooner passed through the forms of inauguration, than he directed his attention to the means by which to accomplish so desirable an object. A mere theoretical knowledge would be insufficient for the consummation of his views, and, indeed, could not be entirely depended upon. Availing



ett's Harber and Fort Niagara; and advancing along the strait to Buffalo, sailed through Lake Erie, and landed at Detroit, the extremity of his tour. He took a direction thence through the woods of the Michigan territory, and through the states of Ohio, Pennsylvania, and Maryland, toward the District of Columbia, where he arrived after an absence of more than three months.

The persevering manner in which this long, laborious, and fatiguing journey was performed, are strong and certain indications of its beneficial results.

With an alacrity paralleled only by the prompt aid of the citizens to accelerate his movements, the president inspected garrisons; examined fortifications; reviewed infantry regiments at cantonments; and obtained a knowledge of the condition of the military arsenals and naval depôts along the Atlantic and inland frontiers. To these numerous duties he added the desire to promote the prosperity of the people; to correct abuses in the public offices: to avert the calamities incident to any future period of hostilities: to meliorate the condition of the poorer classes of society; and to unite and harmonize the sentiments and affections of the citizens of one section with those of another. A considerable part of his journey in returning from the northwestern frontier, was through a succession of forests and Indian settlements. He sustained, however, all the inconveniences of comfortless lodgings, and unpleasant and fatiguing travelling, without any abatement of that cheerfulness and sense of public duty manifested in the commencement of his tour, the advantageous results of which will long be remembered and acknowledged by the nation.\*

The visit of the president to the principal cities and towns of the middle and eastern states, possessed the charm of novelty, neither Mr. Jefferson nor Mr. Madison having followed the example set by General Washington, during their presidential terms. They, consequently, were personally unknown to the great body of the people. Mr. Monroe was everywhere received with enthusiasm by the people, and honored with civic and military escorts and processions, in the cities, towns, and villages, through which he passed. His ordinary costume on these occasions was the undress uniform formerly worn by officers of the American revolution. namely, a military blue coat of domestic manufacture, light underclothes. and a cocked hat; a becoming taste for a president who had been a soldier of the revolution, and which tended to awaken in the minds of the people the remembrance of the days of Washington. In his reply to an address from the New York society of the Cincinnati, the president said: "The opportunity which my visit to this city has presented of meeting the New York society of the Cincinnati, with many of whom I was well acquainted in our revolution, affords me heartfelt satisfaction. It is impossible to meet any of those patriotic citizens, whose valuable services we

• Narrative of President's Tour.

so intimately connected with that great event, without recollections which it is equally just and honorable to cherish."

To an address of the president of the American Society for the Encouragement of Manufactures, at New York, the president replied, that he duly appreciated the objects of the institution, which were particularly dear to him from their being intimately connected with the real independence of our country; and closed with an assurance that he would use his efforts, as far as the general interest of the country would permit, to promote the patriotic and laudable objects of the society.

The citizens of Kennebunk and its vicinity, in Maine, having in their address alluded to the prospects of a political union among the people, in support of the administration, the president said, in reply: "You are pleased to express a confident hope that a spirit of mutual conciliation may be one of the blessings which may result from my administration. This indeed would be an eminent blessing, and I pray it may be realized. Nothing but union is wanting to make us a great people. The present time affords the happiest presage that this union is fast consummating. It can not be otherwise; I daily see greater proofs of it. The further I advance in my progress in the country, the more I perceive that we are all Americans—that we compose but one family—that our republican institutions will be supported and perpetuated by the united zeal and patriotism of all. Nothing could give me greater satisfaction than to behold a perfect union among ourselves—a union which is necessary to restore to social intercourse its former charms, and to render our happiness, as a

advised him to select his cabinet without any regard to party, it is not probable that the measures of the administration would have been different from those which were adopted by the recommendations of the cabinet composed of Messrs. Adams, Crawford, Calhoun, Crowninshield, and Wirt. Those gentlemen were all understood, while in the cabinet, to have been in favor of the policy adopted, which was similar to that advocated by the federal party, commencing with the measures of Washington and Hamilton in the organization and early movements of the national government.

General Jackson's advice to Mr. Monroe is contained in a letter to the latter, dated November 12, 1816, when Mr. Monroe was considered the president elect. The following is an extract: "Your happiness and the nation's welfare materially depend upon the selections which are to be made to fill the heads of departments. Everything depends on the selection of your ministry. In every selection, party and party feelings should be avoided. Now is the time to exterminate that monster called party spirit. By selecting characters most conspicuous for their probity, virtue, capacity, and firmness, without any regard to party, you will go far to, if not entirely, eradicate those feelings which, on former occasions, threw so many obstacles in the way of government; and perhaps have the pleasure and honor of uniting a people heretofore politically divided. The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested, always bearing in mind that he acts for the whole and not a part of the community."

The president, in his reply, discusses the subject of parties and appointments at great length, and in the course of his remarks says: "The election of a successor to Mr. Madison has taken place, and a new administration is to commence its service. The election has been made by the republican party, and of a person known to be devoted that cause. How shall he act? How organize the administration? How fill the vacancies existing at the time?

"The distinction between republicans and federalists, even in the southern, and middle, and western states, has not been fully done away. To give effect to free government, and secure it from future danger, ought not its decided friends, who stood firm in the day of trial, to be principally relied on? Would not the association of any of their opponents in the administration, itself wound their feelings, or, at least, of very many of them, to the injury of the republican cause? Might it not be considered, by the other party, as an offer of compromise with them, which would lessen the ignominy due to the counsels which produced the Hartford convention, and thereby have a tendency to revive that party on its former principles? My impression is, that the administration should rest strongly on the republican party, indulging toward the other a spirit of moderation, and evincing a desire to discriminate between its members, and to bring the whole into the republican fold, as quietly as possible. Many men, very Vol. I.—35

distinguished for their talents, are of opinion that the existence of the federal party is necessary to keep union and order in the republican ranks; that is, that free government can not exist without parties. This is not my opinion. The first object is to save the cause, which can be done by those who are devoted to it only, and of course by keeping them together: or, in other words, by not disgusting them by too hasty an act of liberality to the other party, thereby breaking the generous spirit of the republican party, and keeping alive that of the federal party. The second is, to prevent the reorganization and revival of the federal party, which, if my hypothesis is true, that the existence of party is not necessary to a free government, and the other opinion which I have advanced is well founded. that the great body of the federal party are republican, will not be found impracticable. To accomplish both objects, and thereby exterminate all party divisions in our country, and give new strength and stability to our government, is a great undertaking, not easily executed. I am, nevertheless, decidedly of opinion that it may be done; and should the experiment fail, I shall conclude that its failure was imputable more to the want of a correct knowledge of all circumstances claiming attention, and of sound judgment in the measures adopted, than to any other cause. I agree, I think, perfectly with you, in the grand object, that moderation should be shown to the federal party, and even a generous policy be adopted toward it; the only difference between us seems to be, how far shall that spirit be indulged in the outset; and it is to make you thoroughly acquainted iews on this highly important subject that I have

Congress. The compensation for members of both houses was fixed at eight dollars a day, and eight dollars for every twenty miles' travel; and the act of March, 1816, providing a salary of fifteen hundred dollars per annum for each member was repealed.

An act granting pensions to officers and soldiers of the revolutionary war was passed at this session, in conformity to the suggestion of the president. The law was modified, and in some measure restricted, by an act two years after, which confined the pensions to those who were in destitute circumstances. But, with this modification, the law afforded relief to a great number, not less than thirteen thousand, who had given their personal services and hazarded their lives for the liberties of the country, in the war of the revolution. This act of justice and equity had been long delayed through the inability of the government, but the feelings of the people were at last strongly expressed in favor of doing something for the benefit of those to whom the country owed so much, and who had never received an adequate compensation for their invaluable services.

An additional act was passed on the subject of the importation of slaves into the United States, which modified, in some particulars, the law of 1807 on the same subject, but did not materially change its prohibitions and penalties. And a law was enacted forbidding the citizens of the United States to engage in any hostile enterprise against the subjects of a government which was on terms of peace and amity with the United States. There were some attempts at that time to introduce slaves into the country through southwestern ports; and an expedition was apprehended to be in preparation to invade the Mexican territory.

The state of Mississippi was, by a resolution of Congress, admitted into the Union on the 10th of December, 1817, and an act was passed in April following, authorizing the people of Illinois territory to form a constitution and state government, preparatory to admission as a state. An act concerning navigation closed the ports of the United States against any British vessel coming from any colony of Great Britain the ports of which were closed against vessels of the United States. This was done as a retaliatory measure, in consequence of the British government having refused to allow a direct trade from the United States to the British West Indies and other American colonies. An act respecting the flag of the United States fixed the number of stripes, alternate red and white, at thirteen, and directed that the Union be represented by stars equal to the number of states, white in a blue field. Three per cent. of the net proceeds of sales of public lands in Indiana was directed to be paid to that state for the purpose of making roads and canals. The duties on certain manufactures, viz., copper, cut-glass, Russia sheetings, iron, nails, and alum, were increased, and the majority in favor of protection to domestic manufactures was large in this Congress. In the senate all but three,

and in the house of representatives all but sixteen members, voted for a bill to continue for seven years the duty laid in 1816 on imports of cotton and woollen manufactures. That duty, in 1816, was fixed at twenty-five per cent. on cottons and woollens for three years, and the minimum value of a square yard of cotton was then fixed at twenty-five cents. Still the amount of protection afforded by the tariff of 1816 to the manufacturers of cottons and woollens, was not found adequate to the purpose, and the excessive importations of foreign manufactured goods for several years after the peace, prostrated numerous American manufacturers, and spread ruin and desolation among the industrious classes, including agriculturists as well as mechanics and manufacturers. The bankruptcies among the mercantile portion of the community were also extensive.

The subject of internal improvements by the general government was discussed in Congress at this session. A committee who had the subject under consideration reported, that "the dividends of the United States in the national bank be appropriated to such objects;" but there was a strong opposition to the measure; and after repeated debates, relating principally to the constitutionality of such appropriations, the subject was postponed to a future day. And yet a vote was taken in the house, at one stage of the bill, when there appeared a majority of fifteen in favor of appropriating the public funds for canals, and for military and postroads. The speaker, Mr. Clay, was one of the ablest advocates of internal improvement, but it was understood that the opinion and influence of the president were against the measure.

The views of Mr. Clay were subsequetly sanctioned by the course of events, which resulted in South American independence.

The president, soon after the adjournment of Congress, visited the towns and coasts of Chesapeake bay, for the purpose of examining into the state of the forts and other means of defence in that quarter, and the proper location for a naval depôt. Having accomplished the principal object of his tour, he returned to Washington on the 17th of June, through the interior of Virginia.

A treaty having been concluded between the United States and Sweden, which was negotiated by Mr. Jonathan Russell, minister to Stockholm, the same was ratified by the president and senate, in May. 1818. During this year, and while negotiations for a treaty with Spain were pending, serious difficulties arose in Florida, on account of the invasion of the territory then in possession of the Spanish government, by United States troops under General Andrew Jackson, and of the seizure of the fortified towns of St. Marks and Pensacola. General Jackson had been directed to subdue the Seminole Indians, who were then troublesome to the people of the United States in Alabama and vicinity, and strong measures were deemed advisable and necessary by him to effect the object of the government. His excuse for entering the Spanish territory was, that the hostile Indians fled to the Spanish commanders for protection; that they were encouraged by them; and that the safety of the inhabitants in that part of the United States required such proceedings. The president afterward caused the instructions given to General Jackson to be laid before Congress; and he also gave orders immediately for the restoration of the forts and places to the Spanish authorities.

Congress again assembled on the 16th of November, 1818, and continued in session until the 3d of March, 1819, when their term of service expired. The state of Illinois was admitted into the Union, by a resolution passed on the 3d of December, 1818. The people of Alabama were authorized to form a constitution and state government, preparatory to admission as a state. An act was passed establishing a territorial government for Arkansas, then a part of the territory of Missouri. The citizens of Michigan territory were authorized to elect a delegate to Congress. Other important laws were the following: To protect the commerce of the United States, and to punish piracy; to regulate the duties on imported wines, reducing the rates thereon; to provide for the civilization of the Indian tribes adjoining the frontiers, by which the president was authorized to employ suitable persons to teach and encourage them in agriculture. and also to instruct their children in reading, writing, and arithmetic, and ten thousand dollars were appropriated for such purpose; an additional act concerning the coasting trade; an act to authorize the president to take possession of East and West Florida, and to establish a temporary government therein; and an act to provide for the prompt settlement of public accounts.

The conduct of General Jackson with regard to the Seminole war in Florida, was a subject of inquiry in both houses of Congress. In the house of representatives a report was made on the subject by the committee on military affairs, disapproving of the general's proceedings, and concluding with resolutions of censure. After an able and protracted debate, the report and resolutions were rejected by a large majority.

A treaty with Spain was concluded at Washington on the 22d of February, 1819, by John Quincy Adams, secretary of state, on the part of the United States, and Don Luis de Onis on the part of Spain, by which East and West Florida, with all the islands adjacent, were ceded by Spain to the United States. The boundary between the territories of the two powers was also settled by this treaty. A sum not exceeding five millions of dollars was to be paid by the United States, out of the proceeds of sales of lands in Florida, or in stock, or money, to citizens of the United States, on account of former spoliations on American commerce by Spanish vessels-of-war. This treaty was ratified by the king of Spain in October, 1820.

A convention was concluded between the United States and Great Britain, in October, 1818, and afterward ratified by both governments; but the subject of impressment was not embraced in the treaty, nor that of the trade between the United States and the British colonies, though both points were urged by the negotiators on the part of the United States. preceding year. Embarrassments of a pecuniary nature affected most parts of the United States, in 1818 and 1819, and the influence to some extent was felt in the revenue.

At this period the manufacturing interests of the United States were in a state of extreme depression, owing to the importations of foreign goods at constantly reduced prices, and the general pressure in the monetary affairs of the nation. The president was known to be friendly to further protection of domestic manufactures, by a proper revision of the tariff on imports, and great efforts were made in the northern and middle states to influence public opinion and the action of Congress in favor of the national industry.

The sixteenth Congress assembled on the 6th of December, 1819, and, being the first session, was continued until the 15th of May, 1820. Mr. Clay was again elected speaker, by nearly a unanimous vote, and Mr. Gaillard was continued as president pro tempore of the senate. The former distinctions of party having almost if not quite disappeared in Congress, new questions of great national interest arose to divide the members. Additional protection to American manufactures; internal improvements by the general government; and the acknowledgment of the independence of the South American republics; were among the most prominent of the subjects agitated. To these was soon added the Missouri question, which involved the propriety and expediency of the extension of slavery in new states west of the Mississippi.

The state of Alabama was admitted into the Union by a resolution passed December 14, 1819; and an act was passed on the 3d of March. 1820, admitting the state of Maine into the Union, that state having formed a constitution by consent of Massachusetts, with which state Maine, as a province, had been connected since 1652. An act was also passed, on the 6th of March, 1820, authorizing the people of Missouri territory to form a constitution and state government, preparatory to admission into the Union. It was proposed to amend the bill on that subject by inserting a clause imposing it as a condition of admission, that the future removal or transportation of slaves into that territory should be prohibited. This question gave rise to the most exciting and animated debates in both houses of Congress. In the progress of the discussion in the senate, the Missouri bill was annexed to the bill for the admission of Maine, but the proposition was rejected by the house of representatives, after which the bills were separated. On the last day of February, 1820, the amendment proposed in the house to the Missouri bill, restricting slavery, after a very long and able debate, was carried, by a majority of eight votes, but on the next day the same amendment was rejected by a majority of four. The bill was then passed without restrictions, and on the 6th of March approved by the president, Maine having been previously admitted on the 3d of March.

An attempt was made to pass a new tariff act at this session, giving additional protection to American manufactures. The bill was adopted in the house of representatives by a majority of twenty, but did not receive the concurrence of the senate. Great disappointment was felt by the manufacturers at this result, the pressure and pecuniary distress at the time being great. The heavy importations of foreign manufactures tended to depress prices, and to ruin those engaged in manufactures in the United States. The currency was also in a deranged state. A spirit for banking companies prevailed, and an unusual number of those corporations were authorized in many of the states of the Union. The country was flooded with paper-money issued by these banks, many of which were unable to redeem their bills when presented; and the most disastrous results soon followed. The national bank had been in operation between two and three years, but it had not yet gathered sufficient strength to regulate the currency, which indeed was impracticable, when the balance of trade was largely against the United States, from excessive importations.

An act respecting the public lands, passed at this session, authorized sales in half quarter sections, or eighty acres, fixed the price at one dollar and twenty-five cents per acre, and abolished the credit system on sales of lands, directing that after July 1, 1820, all such sales should be made for cash only. The principle of internal improvement by the general government was sanctioned by an act to authorize a survey of a route for a continuation of the Cumberland road from the Ohio river, opposite Wheeling, Virginia, through Ohio, Indiana, and Illinois, to the Mississippi, between St. Louis and the mouth of the Illinois river for which survey as

They were again chosen to those high offices by the electoral colleges, with great unanimity, only one vote having been given against Mr. Monroe, while he received 231; and 14 against Mr. Tompkins, who received 218 votes.

The second session of the sixteenth Congress commenced on the 13th of November, 1820, and ended on the 3d of March, 1821. Mr. Clay having sent a letter of resignation as speaker, to the clerk of the house of representatives, indispensable private business requiring his attention in the early part of the session, the house proceeded to ballot for a new speaker, but after seven trials without effecting a choice, an adjournment took place until the following day, when, after nineteen unsuccessful ballots, the election of speaker was postponed until the third day. The prominent candidates voted for were John W. Taylor, of New York, Mr. Lowndes, of South Carolina, Mr. Sergeant, of Pennsylvania, and Mr. Samuel Smith, of Maryland. the third day a choice of speaker was effected, Mr. John W. Taylor being elected by a small majority over all other candidates. Mr. Taylor was of that section of republicans in the state of New York who supported De Witt Clinton, then governor of that state. He was decidedly favorable to a tariff for protection to domestic manufactures, and opposed to the extension of slavery in Missouri. The election of a speaker with these views, was of course the cause of some excitement and dissatisfaction, at a time when questions of great interest were to be determined by the action of Congress, which for a time seemed even to threaten a dissolution of the Union. The mild, impartial, and conciliatory course of the new speaker, however, tended to allay much of the feeling at first excited, at the same time that the respect of the members was elicited toward himself.

The most important question agitated in Congress at this session, was the admission of Missouri into the Union. The constitution framed by the people of that state was communicated to Congress in the early part of the session, and referred to a committee who, through Mr. Lowndes, made an able report on the subject, declaring the constitution of the state republican, and concluding with a resolution that Missouri be admitted into the Union on an equal footing with the original states, in all respects whatever. Mr. Lowndes, in moving to refer the resolution to a committee of the whole, stated that the report was the act of a majority of the committee, and not of every individual of the committee. The debate on the subject continued a week, and the discussion was managed with great ability and good temper. It was decided by a majority of fourteen, in the house, that Missouri could not be admitted into the Union with the constitution as Those who voted against the admission, did so on the ground that the constitution of the state permitted slavery, and that there were other objectionable features in that instrument, particularly in relation to free persons of color. The members from the slave states voted unanimously for the admission of Missouri, while those from the northern and middle states, with few exceptions, voted against it.

Matters were in this situation, when the Missouri question again presented itself, on the fourteenth of February, 1821, the day appointed by law for opening and counting the votes for president and vice-president. Missouri having chosen presidential electors, and transmitted her votes for president and vice-president to Congress, a resolution passed the senate directing that in case any objection should be made to counting the votes from Missouri, the president of the senate should declare that, if the votes of Missouri were counted, the number of votes for A. B. for president would be so many, and if the votes of Missouri were not counted, the number would be so many, and that in either case A. B. is elected. same course to be pursued in relation to vice-president. This resolution was taken up in the house on the morning of the day when the votes were to be counted. Mr. Clay having by this time taken his seat as a member, warmly supported the resolution as the only mode of avoiding the difficulty. It was also generally supported by the members in favor of restricting Missouri as to slavery, but opposed by most of those from the slave states. It was finally agreed to on the part of the house, sometime after the hour appointed for the meeting of the two houses to count the votes. Considerable delay and confusion took place while the votes were being counted, and some of the southern members, particularly John Randolph, of Virginia, made an effort to compel the house to declare that Missouri was a state of the Union. The course recommended by the joint

of Missouri), lying north of thirty-six degrees and thirty minutes north

On the 22d of February the president issued his proclamation on the subject of the treaty which had been made with Spain, and announced that the same had been finally ratified by both the governments of the United States and Spain. Thus another important matter was happily brought to a conclusion.

Mr. Clay again brought before Congress the question of acknowledging the independence of the Spanish provinces of South America, and in the house of representatives resolutions to that effect were adopted.

In the senate a motion to declare the sedition act of 1798 unconstitutional, and to pay back the fines imposed by the United States courts for violations of the law, was offered by Mr. Barbour, of Virginia. After a warm debate the resolution was rejected, and the constitutionality of the law therefore sustained, by a vote of 24 to 19.

At this session of Congress the peace establishment of the army was reduced by law to seven regiments of infantry, and four regiments of artillery, with officers for the ordnance and engineering departments. The annual appropriation for the increase of the navy, which had been fixed in 1816 at one million of dollars, was reduced to five hundred thousand dollars.

Propositions introduced into Congress to prohibit the reception for payments to government in bills of state banks which issued those of a less denomination than five dollars; and to establish a national system of education by funds accruing from the sale of the public lands, were rejected.

An act was passed at this session for carrying into effect the treaty between the United States and Spain, authorizing the president to take possession of Florida, establishing a temporary government in the territory, and extending the laws of the United States to the same. A similar act had been passed by the fifteenth Congress, two years before, namely, March 3, 1819, to take effect when the treaty with Spain should be ratified. The provisions of the present act were somewhat extended. A board of three commissioners, to settle claims under the treaty, was directed to be appointed, and one hundred thousand dollars were appropriated for carrying the act into effect.

On Monday the 5th of March, 1821, Mr. Monroe was again inducted into office, for the term of four years. In the presence of a large concourse of his fellow-citizens, assembled in the hall of representatives at Washington, he delivered an inaugural address of more than ordinary length. The oath of office was administered to him by Chief-Justice Marshall.

The seventeenth Congress held its first session from the 3d of December, 1821, until the 8th of May, 1822. Mr. Clay not being a member of the house of representatives for this Congress, an attempt was made, prin-

cipally by the friends of a protective tariff, to again elect Mr. John W. Taylor speaker. Numerous ballottings took place without effecting a choice; but finally, most of the opposition to Mr. Taylor being concentrated on Mr. Philip P. Barbour, of Virginia, he was chosen speaker by a small majority, over Mr. Taylor and a few scattering votes. The views of Mr. Barbour were known to be opposed to a protective tariff, and to a system of internal improvements by the general government, and he had voted against the proposed restrictions respecting slavery on the admission of Missouri.

The most important acts of Congress passed at this session, were as follows: A territorial government was established in Florida, and a law was enacted for the preservation of timber on the public lands in that territory. Another act established a board of three commissioners, to ascertain the claims and titles to land in Florida. A law was also passed to relieve the people from the operation of certain ordinances, one of which was made by General Jackson, while governor of Florida, in 1821, and another passed by the city council of St. Augustine, in 1821. These ordinances were repealed, and declared null and void, and any person attempting to enforce them was to be punished by fine or imprisonment. Provision was made for receiving subscriptions to a loan of twenty-six millions of dollars, at five per cent., in exchange for stock then bearing an interest of six and seven per cent. The state of Illinois was authorized to open a canal through the public lands to connect the Illinois river with Lake Michigan, and ninety feet of land on each side of said canal was received from any sale to be made by the United States - ave

The friends of protection to American manufactures were zealous and active in spreading their views among the people, and in many of the northern and western states the agriculturists were convinced that their interests were promoted by protection, as well as that of the manufacturers. Members of Congress from the southern, and from some of the eastern states, at that time, were opposed to an increase of the tariff on foreign goods, from an impression that high duties operated unequally on different classes and sections of the community.

In accordance with the recommendation of the president, a resolution was offered in the house of representatives, in January, 1822, for recognizing the independence of Mexico, and five provinces in South America, formerly under the dominion of Spain. The vote in the house was nearly unanimous, and one hundred thousand dollars were appropriated to defray the expenses of envoys to those republics, who were soon afterward appointed by the president. A bill was passed by Congress at this session, making an appropriation for continuing the Cumberland road, but was returned by the president, with his objections, which were that the constitution did not authorize such appropriations.

But few acts of general interest were passed at the second session of the seventeenth Congress, which was held from the 2d of December, 1822, to the 3d of March, 1823. An additional naval force was authorized for the suppression of piracy; the state of Ohio was authorized to construct a road from the lower rapids of the Miami of Lake Erie to the western boundary of the Connecticut western reserve, and the lands for one mile on each side of the road were granted to the state to aid in the construction of the road; an act of great length was also passed, directing the manner of doing business at the customhouses of the United States in the collection of duties. Certain sections of the act of May, 1820, prohibiting British vessels from the colonies to enter the ports of the United States, were suspended; and the ports of the United States were declared open to British vessels from the ports in the British colonies and West India islands named in the acts.

A bill was introduced in the senate by Colonel R. M. Johnson, of Kentucky, for abolishing imprisonment for debts due to the United States. This measure was advocated with zeal by the mover, and it was supported by several of the senators, but it was not adopted at this session. Colonel Johnson advocated it for several successive sessions, and it became a law in 1828. The question of additional duties on imports, particularly woollen goods, was again agitated at this session, and debated with much warmth and zeal, but finally the bill to increase the duty on woollens was rejected.

The subject of internal improvements was before Congress at this session, in various forms. It was proposed to cause surveys for canals across Cape Cod—from the river Raritan to the Delaware—from the Delaware

to Chesapeake bay—from the Chesapeake to Albemarle sound—and from Lake Erie to the Ohio river. But the proposal was not sanctioned by Congress. The opposition was principally on the ground of unconstitutionality. A discussion also arose on the motion to appropriate money for the repairs of the Cumberland road. Large sums had been expended on that work, which was deemed of national importance, but it was then in such a state as to be nearly impassable in some parts. The president had intimated a willingness to favor a bill for repairing the road, though opposed to extending it. The session closed without any definite action on the question.

A convention of navigation and commerce was made and concluded between the United States and France, in 1822; which was ratified by the president and senate, and a law passed by both houses of Congress to carry its provisions into effect. This treaty was negotiated by the secretary of state, John Quiney Adams, and the Baron Hyde de Neuville, minister plenipotentiary of the king of France. Efforts had been made for a long time by the government of the United States, to form a treaty with France; but the French court had manifested great reluctance to enter into a convention for the purpose. The trade of that nation did not suffer from want of such a treaty, but the United States lost many advantages by the omission.

After the peace of 1815, the commerce and navigation of the United States did not reap all the advantages from that event which might justly have been hoped. A restrictive and monopolizing policy was adopted by both for president, none were supported or opposed on account of any particular measures which they respectively advocated or condemned. The question about the selection of a candidate was, in fact, personal; not political; but this circumstance, instead of rendering it less, caused it to be more exciting. The names of many gentlemen were mentioned as candidates, but the number gradually diminished, until the contest finally seemed to be confined to William H. Crawford, secretary of the treasury; John Quincy Adams, secretary of state; Henry Clay, speaker of the house of representatives; John C. Calhoun, secretary of war; and General Andrew Jackson, at that time a private citizen. Each of these candidates, during the war with Great Britain, were warm and efficient supporters of Mr. Madison's administration, and zealous members of the democratic party.\*

In this state of things, the elections for members of the eighteenth Congress took place. Most of the members, however, were chosen before the public mind had become fixed, in various parts of the country, on either of the candidates; consequently the individual preferences of a large portion of the members of Congress were unknown to the people by whom they were elected. It was apparent to observing politicians, that the final choice of president would probably fall on Congress, in consequence of the number of candidates preventing a choice by the electoral colleges.

It soon became evident that a large proportion of the old politicians of the democratic party had decided to support Mr. Crawford for the succession. He had been, it will be recollected, a formidable candidate against Mr. Monroe in the congressional caucus in 1816. Since the election of the latter, Mr. Crawford had been a prominent member of his cabinet, as secretary of the treasury, and it was well known that he would now be sustained by Virginia and Georgia, and it was believed that he would also be supported by most of the southern democracy. The general impression among political men was, that a majority of the leading and influential democrats in the Union concurred in the policy of supporting Mr. Crawford. Among these was Mr. Van Buren, then a senator in Congress from the state of New York, and a leading democrat in that state, with whom other prominent men of the same party acted, sufficient in power and influence, as it was thought, to give the electoral vote of the state to Mr. Crawford.

Previous to the meeting of Congress, the annual election took place in the state of New York, in November, 1823, for members of the legislature, by whom the electors of president were to be chosen. The result was unexpected and very unsatisfactory to the friends of Mr. Crawford, for although they claimed a majority of the members elect, yet the city and county of New York, and many other counties, had decided against them, and the anti-Crawford men likewise claimed a majority in the legislature. The latter, moreover, rested their hopes of success on the passage

\* Hammond's History of Parties.

of a law by the legislature, giving the choice of electors to the people. This question, which was for many months agitated in New York, gave rise to what was called the people's party, which comprised in its ranks most of the people opposed to Mr. Crawford for the presidency.

On the 1st day of December, 1823, the eighteenth Congress held their first session, which continued until the 26th of May, 1824. Mr. Clay, who was again elected a member from Kentucky, was chosen speaker of the house, by a large majority, over Mr. Barbour, speaker of the last Congress.

The most important acts passed at this session were those relating to the protection of American manufactures, and internal improvement. The president was authorized to cause the necessary surveys, plans, and estimates, to be made of the routes of such roads and canals as he might deem of national importance, for which purpose the sum of thirty thousand dollars was appropriated. The president, after mature deliberation, changed his former views on the subject of internal improvements by the general government, and gave this bill his approval, which proved a model and precedent for future legislation on this subject. There was a very general opinion at that time in favor of internal improvements. The tariff act passed at this session was intended as a protection to American manufactures; it raised the duties on many articles of imports from foreign countries coming in contact with articles manufactured in the United States. It was the result of the combined efforts of the advocates of protection to domestic industry throughout the Union, added to the recom-

of the United States after arriving at the age of twenty-one years, provided they had resided five years in the United States.

The presidential question was at this time the all-absorbing subject of interest, both among members of Congress and the people. One great point, about which the members of Congress were divided, was whether an attempt should be made to nominate candidates for president and vice-president by a congressional caucus, as had been the uniform practice of the democratic party. The friends of Mr. Crawford, with Mr. Van Buren at their head, were in favor of a caucus, and disposed to denounce all those who were opposed to this mode, which they called "regular nomination," as enemies of the democratic party. A committee of members opposed to Mr. Crawford stated, in the National Intelligencer newspaper, that of two hundred and sixty-one members, it was ascertained one hundred and eighty-one were opposed to a caucus; and it was added, that many others would not attend should such a meeting be called.

Notwithstanding this statement, a meeting of the democratic members of Congress was called by the friends of Mr. Crawford, and on the 14th of February, 1824, the assemblage took place. Only sixty-six members attended, of whom forty-eight were from the four states of New York, Virginia, North Carolina, and Georgia. On a ballot for president, Mr. Crawford received 64 votes, Mr. Adams 2, General Jackson 1, and Mr. Macon, of North Carolina, 1. Mr. Gallatin was nominated for vice-president, but afterward declined.

The issue of this attempt to nominate Mr. Crawford proved injurious to his prospects, and about the same time his health became so much impaired that serious doubts were entertained of his capability on that account to perform the duties of the office of president in case of his election. In the state of New York the Crawford party became very unpopular, in consequence of some of their leading men having rejected a law proposed by the people's party in the legislature, providing for the choice of presidential electors by the people. The electors in the state of New York were therefore chosen by the legislature; but owing principally to the efforts of General James Tallmadge, the champion of the people's party in the legislature on that occasion, with the aid of Mr. Henry Wheaton and other zealous members of that body, the friends of Mr. Crawford met with an unexpected defeat, and the electoral vote of the state was given as follows: for Adams 26, for Crawford 5, for Clay 4, for Jackson 1.

This election in New York, with the result in other states, showed that no choice had been made for president by the electoral colleges, and according to the provisions of the constitution, the decision was referred to the house of representatives. The total votes of the colleges of electors for president, were, for Jackson 99, Adams 84, Crawford 41, Clay 37. John C. Calhoun was elected vice-president, having received 182 votes, against 78 for all others. The choice of president by the house of representatives was, as the constitution requires, confined to the three highest Vol. I.—36

candidates. The election by the house was held in February, 1825, when Mr. Adams received the votes of 13 states on the first ballot, General Jackson 7 states, and Mr. Crawford 4 states. John Quincy Adams was therefore declared elected president of the United States for four years, from the 4th of March, 1825.

The second session of the eighteenth Congress was held from the 6th of December, 1824, to the expiration of their term on the 3d of March, 1825. But few acts of general interest were passed; among them was one to reduce into one the several acts regulating the postoffice department. An act was also passed respecting drawbacks of duties on goods re-exported; another to provide for the punishment of certain crimes against the United States; and an act concerning wrecks on the coast of Florida.

A resolution was offered in the senate, in February, 1825, by Mr. King, of New York, proposing that after the payment of the public debt, for which the public lands were pledged, should be made, the proceeds of the sales should be applied to the emancipation of such slaves within any of the United States, and to aid in the removal of such free persons of color as by the laws of any state were allowed to be emancipated or removed, to any territory without the limits of the United States. The resolution, which did not receive the sanction of the senate, was not designed to interfere with the laws and usages of any state relating to slaves. Had it been adopted, the effect would have been similar to that the Colonization Society have in view; and would have secured funds for the purpose.

The last year of Mr. Monroe's administration was distinguished by the

## BIOGRAPHICAL SKETCH

OF

# JOHN QUINCY ADAMS.

WHEN the constitution of the United States was formed, in 1787, and the question of its adoption was before the people, the opponents of a consolidated government, and those who preferred the old confederation, represented the executive established by the constitution, as the chief of an elective monarchy. Mr. Jefferson considered him a bad edition of a Polish king, as he expressed it. But no one apprehended any danger of the office of president ever becoming hereditary. It is, however, a curious circumstance, that the only one of the first five presidents of the United States who had a son, should have lived to see his eldest son elected to the presidency. It must not from this be supposed that the circumstances of the birth and family of John Quincy Adams had any influence in contributing to his elevation to the same high office which his father had previously filled. On the contrary, the jealousy of the American people on the subject of any supposed preference in consequence of family or rank, probably operated to the prejudice of Mr. Adams, and diminished the popular support which he would otherwise have received; for no American was ever more fully qualified by talents and education for the various important stations which he has been called to fill, than the distinguished statesman who is the subject of the present memoir.

Born in the year 1767, on the 11th day of July, at the mansion of his father, John Adams, who then resided in Boston, although the family-seat was in the present town of Quincy, Massachusetts, John Quincy Adams (who afterward became the sixth president of the United States) took the name of John Quincy, his great grandfather, who bore a distinguished part in the councils of the province, at the commencement of the eighteenth century.

In the very dawn of his existence the principles of American independence and freedom were instilled into the mind of the younger Adams.

A nort of this sketch is an abstract of a memoir of Mr. Adams published in 1828.

Both his father and mother were the most zealous promoters of the cause of their country in the struggle with Great Britain. When the father of Mr. Adams repaired to France as joint commissioner with Franklin and Lee, he was accompanied by his son John Quincy, then in his eleventh year. In that country he passed a year and a half with his father, and enjoyed the privilege of the daily intercourse and parental attentions of Ductor Franklin, whose kind notice of the young was a peculiar trait in his character, and whose primitive simplicity of manners and methodical habits left a lasting impression on the mind of his youthful countryman.

After a residence of about eighteen months in France, young Adams returned to America with his father, who assisted in forming a constitution for Massachusetts, but was soon called upon again by Congress to repair to Europe, as a commissioner for negotiating treaties with Holland and other powers, but particularly with Great Britain, as soon as she was disposed to put an end to the war.

He again took his son with him, and sailed in a French frigate, which in consequence of springing a dangerous leak, was compelled to put into Ferrol, in Spain. From that place Mr. Adams and his son travelled by land to Paris, where they arrived in January, 1780. For a few months Mr. Adams sent his son to school in Paris; but in July, the same year, he took him with him to Holland, where he was called to negotiate a loan for the United States. He placed his son first in the public school of the city of Amsterdam, and afterward in the city university of Leyden. In July, 1781, Mr. Francis Dana (afterward chief-justice of the state of Massachusetts), who had come out with Mr. Adams as accretant of leaveling

Jefferson with his former colleague in Congress, the father of Mr. Adams, was of an intimate and confidential kind, and led to a friendship for his son which, formed in early life, scarcely suffered an interruption from subsequent political dissensions, and revived with original strength during the last years of the life of this venerable statesman.

Mr. Adams was, at the period last mentioned, about eighteen years of age. Born in the crisis of his country's fortunes, he had led a life of wandering and vicissitude, unusual at any age. His education, in everything but the school of liberty, had been interrupted and irregular. He had seen much of the world—much of men—and had enjoyed but little leisure for books. Anxious to complete his education, and still more anxious to return to his native land, when his father was, in 1785, appointed minister to the court of St. James, his son, at that period of life when the pleasures and splendor of a city like London are most calculated to fascinate and mislead, asked permission of his father to go back to his native shores. This he accordingly did. On his return to America he became a member of the ancient college of Harvard, at Cambridge, Massachusetts, where he graduated in July, 1787.

On leaving college, Mr. Adams entered the office of Theophilus Parsons, afterward chief justice of the state, as a student of law, at Newburyport. On a visit of General Washington to that town, in 1789, Mr. Parsons, being chosen by his fellow-citizens to be the medium of expressing their sentiments to the general, called upon his pupils each to prepare an address. This call was obeyed by Mr. Adams, and his address was delivered by Mr. Parsons.

After completing his law studies, at Newburyport, Mr. Adams removed to Boston, with view of commencing the practice of his profession at the bar. His time not being fully occupied, Mr. Adams employed his leisure hours in speculations upon the great political questions of the day.

In April, 1793, on the first intimation that war between Great Britain and France had been declared, Mr. Adams published a short series of papers, the object of which was, to prove that the duty and interest of the United States required them to remain neutral in the contest. These papers were published before General Washington's proclamation of neutrality, and without any knowledge that a proclamation would be issued. 'The opinions they expressed were in opposition to the views generally prevailing, that the treaty of alliance of 1778 obliged us to take part in the wars of France. But the proclamation of neutrality by General Washington, sanctioned by all his cabinet, including Mr. Jefferson, was shortly made public, and confirmed the justice of the views which Mr. Adams had been (it is believed) the first to express before the public on this new and difficult topic of national law.

In the winter of 1793 and 1794, the inflammatory appeals of the French minister to the United States, Mr. Genet, caused much excitement in the

public mind. Among those who co-operated in support of the administration of Washington in resisting Mr. Genet, none was more conspicuous than Mr. Adams, whose essays in favor of neutrality were read and admired throughout the country.

His reputation was soon established, as an American statesman and political writer. Before his retirement from the department of state, Mr. Jefferson recommended him to General Washington, as a proper person to be introduced into the public service of the country. The acquaintance between Mr. Jefferson and Mr. Adams which had been formed in France, had lately been renewed, on occasion of a visit to Philadelphia in 1792; and the promptitude and ability with which he had seconded the efforts of the secretary of state in enforcing neutrality, no doubt led Mr. Jefferson thus to recommend him to General Washington.

The publications of Mr. Adams above alluded to, had attracted the attention of General Washington. He had in private expressed the highest opinion of them, and had made particular inquiries with respect to their author. Thus honorably identified, at the early age of twenty-seven, with the first great and decisive step of the foreign policy of the United States, and thus early attracting the notice, and enjoying the confidence of Washington, Mr. Adams was, in May, 1794, appointed minister resident to the Netherlands, an office corresponding in rank and salary with that of a chargé d'affaires at the present day. The father of Mr. Adams was at this time vice-president of the United States; but the appointment of his son was made by General Washington, unexpectedly to the vice-

" MONDAY, February 20, 1797.

"Dear Sir: I thank you for giving me a perusal of the enclosed. The sentiments do honor to the head and heart of the writer; and if my wishes would be of any avail, they should go to you in a strong hope that year will not withhold merited promotion from John Q. Adams because he is your son. For, without intending to compliment the father or the mother, or to censure any others, I give it as my decided opinion, that Mr. Adams is the most valuable public character we have abroad; and that there remains no doubt in my mind, that he will prove himself to be the ablest of all our diplomatic corps. If he was now to be brought into that line, or into any other public walk, I could not, upon the principle which has regulated my own conduct, disapprove of the caution which is hinted at in the letter. But he is already entered; the public, more and more, as he is known, are appreciating his talents and worth; and his country would sustain a loss, if these were to be checked by over-delicacy on your part.

"With sincere esteem, and affectionate regard,

"I am ever yours,

"GEORGE WASHINGTON."

The principal object of Mr. Adams's mission to Berlin was effected by the conclusion of a treaty of commerce with Prussia. He remained at that court till the spring of 1801, when he was recalled by his father, and returned to America. During the last year of his residence in Prussia, he made an excursion into the province of Silesia, which he described in a series of letters that were afterward collected and published in a volume, and have been translated into French and German, and extensively circulated in Europe. In March, 1798, while he was at Berlin, he was appointed by the president and senate, commissioner to renew the treaty with Sweden.

The advantages enjoyed by Mr. Adams, during his residence on the continent of Europe, from 1794 to 1801, he did not fail to improve, and they were of great importance in extending his political knowledge, and in their influence upon his character and feelings. He contemplated with the eye of a careful observer the great movements in the political world which were then taking place, and which included many of the most important events of the French revolution. A combination of peculiar circumstances enabled him to hold an important and truly American course between the violent extremes to which public opinion in America ran, on the great question of our foreign relations. It was also fortunate that he was absent from the country during the period when domestic parties were organized and arrayed against each other. His situation secured him from the necessity of taking part in those political contentions in which he must either have been placed in the painful position of acting with the party opposed to his father, or he would have been obliged to encounter the natural imputation of being biased in support of him by

filial attachment. From this alternative Mr. Adams was spared by his residence abroad during the whole period in which our domestic parties were acquiring their organization; and he returned to his native land a stranger to local parties, and a friend to his country.

In 1802, Mr. Adams was elected to the senate of Massachusetts from the district of Boston; and signalized that fearless independence which has ever characterized his political course, by his strong, though ineffectual opposition to a powerful combination of banking interests, of which the centre was placed among his immediate constituents.

In 1803, he was elected by the legislature of Massachusetts, a senator of the United States. There was a federal majority in that body, but Mr. Adams was not elected by a party vote. He was considered a moderate federalist, but, when elected, was unpledged, either as to opposition or support, to any men or measures other than those which his own sense of duty should dictate to him to be supported or opposed.

His conduct in the United States senate was such as might have been expected from his position. He neither had principles to permit, nor passions to drive him into indisoriminate opposition or blind support. He supported the administration of Mr. Jefferson in every measure which his judgment approved. With the democratic party in the senate he voted for the embargo recommended by Mr. Jefferson, believing that the hostile decrees of France and England against American commerce called for retaliatory or restrictive measures. For his course in this particular, Mr. Adams was censured by the legislature of Massachusetts, in a series of

Adams, with the senate's concurrence, in June, 1809, minister plenipotentiary to the court of the emperor of Russia. He was the first minister from the United States to that country. Mr. Jefferson, perceiving the importance to the United States of both political amity and commercial intercourse with the great Russian empire, sent Levett Harris as American consul to St. Petersburg, through whom a correspondence ensued between the Russian emperor and the American president, which began the good relations that have subsisted without interruption between the two countries. One of the last acts of Mr. Jefferson's administration was to nominate an envoy extraordinary and minister plenipotentiary to Russia, whom the senate rejected.

The emperor Alexander, who was then on the throne of Russia, was one of the most remarkable men of the age; well educated, well informed, liberal, and generous, he regarded the United States with such kindness that, on the most despotic throne in the old world, he freely expressed his admiration of the republican institutions of the new.\*

The intelligence of the declaration of war by the United States against Great Britain, was known in Russia in September, 1812. Mr. Adams had the good fortune to acquire the confidence of the emperor, who admitted him to a degree of intimacy rarely enjoyed with despotic monarchs. even by their own ministers. On the 20th of September, 1812, the Russian minister Romanzoff informed Mr. Adams that, having made peace with Great Britain, the emperor was much concerned and disappointed to find the commercial benefits which he expected his subjects would derive from that event, defeated and lost by the war between the United States and Great Britain. He therefore suggested a settlement of the difficulties by mediation, offering himself to act as mediator, in terms of great goodwill, which Mr. Adams met and answered with corresponding cordiality. In the course of his conversation with the Russian minister, the American envoy stated that he knew his government engaged in the war with reluctance; that it would be highly injurious, both to the United States and to England; that he could see no good result as likely to arise from it to any one. The minister from Russia to the United States was directed to proffer the mediation to the American government, which was formally accepted in March, 1813, by the latter, but it was declined by the British government. It was unquestionably owing to the confidential relation between Mr. Adams and the emperor, that the mediation of Russia was tendered; and though it was declined by England, the mediation produced an offer from that country to treat directly with the United States, and thus led to peace.

It was for this reason that Mr. Adams was placed at the head of the five commissioners by whom the treaty of peace was negotiated at Ghent,

• Ingersell.

in 1814; his associates on that commission being James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin.

The skill with which that negotiation was conducted, is well known. Mr. Adams bore a full part in its counsels and labors; and a proportionate share of the credit is due to him for that cogency and skill which drew from the marquis of Wellesley, in the British house of lords, the declaration, that win his opinion the American commissioners had shown the most astonishing superiority over the British, during the whole of the correspondence."

This tribute is the more honorable to Mr. Adams and his colleagues, from the circumstance that, on every important point, the British commissioners received special instructions from the ministry at London, directing the terms in which the American envoys were to be answered.

Having borne this distinguished part, in bringing the war to a close by an honorable peace. Mr. Adams was employed, in conjunction with Messrs. Clay and Gallatin, in negotiating a convention of commerce with Great Britain, on the basis of which our commercial intercourse with that country has since been conducted.

On the 28th of February, 1815, Mr. Madison gave a further proof of his confidence in Mr. Adams, by appointing him (with the consent of the senate) minister to Great Britain, and he continued to represent the United States at that court until the accession of Mr. Monroe to the presidency, in March, 1817.

In the formation of his cabinet, Mr. Monroe consulted with several of

in reference to the foreign policy of the government. One of the most important of these measures was the recognition of the independence of the new republics of Spanish America. The credit of first effectually proposing that measure in the house of representatives is due to Mr. Clav. while speaker of that body; that of choosing the propitious moment when it could be proposed with the unanimous consent of Congress, and the nation, belongs to Mr. Adams. Nor is he entitled to less credit for the successful termination of our differences with Spain. A controversy of thirty years' standing, which had resisted the skill of every preceding administration of the government, was brought to an honorable close. Indemnity was procured for our merchants, and East and West Florida added to our republic. Next to the purchase of Louisiana, the acquisition of Florida may be viewed as one of the most important measures in our history as a nation. Among his reports while secretary of state, may be mentioned that on weights and measures, made to the United States senate in 1821, in conformity with a resolution of that body, passed in 1817. This report is distinguished for its ability and research.

On every important occasion and question that arose during Mr. Monroe's administration, the voice of Mr. Adams was for his country, for mild councils, and for union. In the agitation of the Missouri question, his influence was exerted for conciliation. He believed that by the constitution and the treaty of cession of 1803, Congress was barred from adopting the proposed restrictions on the admission of Missouri. Of internal improvement by roads and canals, he was ever the friend, and moved in the senate of the United States the first project of their systematic construction.

When the question of a successor to Mr. Monroe in the presidency became the subject of agitation, the claims of Mr. Adams to that high office were admitted to be strong and decided, by a large portion of his countrymen. His elevation was desired by a numerous body of calm, reflecting men, throughout the Union, who desired to see the government administered with the ability and integrity which belonged, as they knew, to the character of Mr. Adams. The other rival candidates for the presidency, Andrew Jackson, William H. Crawford, and Henry Clay, also presented severally strong claims for the support of the people. Of these several candidates, Mr. Adams was the only one who represented the non-slaveholding interest, and he was the second choice of an immense proportion of the people, who, for various causes, preferred one of the other candidates.

In consequence of the number in nomination for president, no choice was effected by the electoral colleges, and neither candidate approached nearer than within thirty-two votes of a majority. General Jackson received 99 votes, Mr. Adams 84, Mr. Crawford 41, and Mr. Clay 37. For the vice-presidency, John C. Calhoun, of South Carolina, received 182

votes, and was consequently elected. The choice of the president, according to constitutional provisions, was referred to the house of representatives, and, contrary to general expectation, an election was made on the first ballot; Mr. Adams having received the votes of thirteen states, General Jackson seven states, and Mr. Crawford four states. In this election by the house, Mr. Clay and his friends having voted for Mr. Adams, great indignation was expressed by the supporters of General Jackson, but the friends of Mr. Crawford, generally, at first appeared satisfied with the result, as they preferred Mr. Adams to General Jackson, and the health of Mr. Crawford was then so precarious as to render him nearly, if not quite, incompetent for the office.

A committee of the house was appointed to wait on Mr. Adams and notify him of his election to the presidency; to this notification he made the following reply:—

"Gentlemen: In receiving this testimonial from the representatives of the people, and states of this Union, I am deeply sensible to the circumstances under which it has been given. All my predecessors in the high station to which the favor of the house now calls me, have been honored with majorities of the electoral voices in their primary colleges. It has been my fortune to be placed, by the divisions of sentiment prevailing among our countrymen on this occasion, in competition, friendly and honorable, with three of my fellow-citizens, all justly enjoying, in an eminent degree, the public favor; and of whose worth, talents, and services, no one entertains a higher and more respectful sense than myself. The

"Gentlemen, I pray you to make acceptable to the house the assurance of my profound gratitude for their confidence, and to accept yourselves my thanks for the friendly terms in which you have communicated to me their decision."

The administration of Mr. Adams as president of the United States, commenced on the 4th of March, 1825, and continued four years. A combination having taken place immediately after the election, of a majority of the friends of Mr. Crawford with those of General Jackson, it was soon apparent that the new administration was destined to meet with a systematic and violent opposition. Every effort on the part of Mr. Adams to conciliate his opponents, and to conduct the public affairs with integrity and usefulness, proved ineffectual to turn the torrent of popular opinion which set steadily against him. In the third year of his term the administration was in the minority in both branches of Congress, and the opposition being concentrated on General Jackson as a candidate for president, he was in 1828 elected, by a large majority, over Mr. Adams.

In March, 1829, Mr. Adams retired to private life, carrying with him the esteem of his political friends, and the respect of his opponents, who generally gave him the credit of good intentions, however they might have differed with him in his views of public policy. While holding the high office of president, he uniformly declined the exercise of a proscriptive spirit toward those of his political opponents whom he found in office; magnanimously conceding to all the right of exercising their own free will in the choice of rulers, and in supporting or opposing the administration.

After the inauguration of his successor, General Jackson, Mr. Adams continued a short time at Washington city. He then repaired to his family mansion, and the scenes of his early youth, at Quincy, near Boston, Massachusetts, where, in the possession of a competent fortune, and in the enjoyment of the pleasures of domestic life with his family, he might have expected to pass the remainder of his days. But the people of his own immediate neighborhood were not willing to allow him to remain long in retirement. In 1830 he was elected to represent the district in which he resided, in the Congress of the United States, and the following year, namely, in December, 1831, he took his seat in the house of representatives at Washington city, being then in the 65th year of his age, and having already passed about forty years in the public service. In the national legislature he has taken the stand to which his eminent talents and distinguished services fully entitle him. The continued confidence of his constituents has been manifested by seven re-elections to the house, of which he has now been a member fourteen years.

His reports as chairman of committees on various subjects, particularly on those of manufactures and finance, are among the ablest papers to be found among the national records. He distinguished himself especially on the organization of the twenty-sixth Congress, in December, 1839,

when difficulties of a novel character occurred, in consequence of disputed seats from the state of New Jersey, which prevented for many days the choice of a speaker. On that occasion Mr. Adams was chosen, by unanimous consent, chairman of the house while it was in a state of confusion and disorder. By his skill and commanding influence, he was enabled to calm the turbulent elements of a disorganized house, and to bring about a settlement of the difficulties which threatened a dissolution of the government.

Perhaps the most striking feature of Mr. Adams's career as a member of the house of representatives, has been his firm adherence to the right of the people to petition Congress, and to be heard through their representatives, on any subject whatsoever. He has taken an active part in debate on nearly every topic of public interest, and his speeches have been frequently marked with the most fervid eloquence, and with that stern and peculiar independence which has characterized his whole life, and command the respect and attention which is due to a man of great experience, and of fearless and uncompromising integrity.

The private character of Mr. Adams has always been above reproach, in his intercourse with his fellow-men, and in all the various duties of a long life. Without any uncommon professions, he has uniformly shown a great respect for the Christian religion, and, like his father, giving a preference to the doctrines of the unitarian church.

In his personal appearance, Mr. Adams is of middle stature and full person, his eyes dark and piercing, his countenance pleasing, and beaming with intelligence; his manners rather awkward and distant. He has al-

## JOHN QUINCY ADAMS'S

# ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

MARCH 4, 1825.

In compliance with a usage coeval with the existence of our federal constitution, and sanctioned by the example of my predecessors in the career upon which I am about to enter, I appear, my fellow-citizens, in your presence, and in that of Heaven, to bind myself, by the solemnities of a religious obligation, to the faithful performance of the duties allotted to me in the station to which I have been called.

In unfolding to my countrymen the principles by which I shall be governed in the fulfilment of those duties, my first resort will be to that constitution which I shall swear, to the best of my ability, to preserve, protect, and defend. That revered instrument enumerates the powers and prescribes the duties of the executive magistrate; and, in its first words, declares the purposes to which these, and the whole action of the government instituted by it, should be invariably and sacredly devoted—to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to the people of this Union, in their successive generations. Since the adoption of this social compact, one of these generations has passed away. It is the work of our forefathers. Administered by some of the most eminent men who contributed to its formation, through a most eventful period in the annals of the world, and through all the vicissitudes of peace and war, incidental to the condition of associated man, it has not disappointed the hopes and aspirations of those illustrious benefactors of their age and nation. It has promoted the lasting welfare of that country, so dear to us all; it has, to an extent far beyond the ordinary lot of humanity, secured the freedom and happiness of this people. We now receive it as a precious inheritance from those to whom we are indebted for its establishment, doubly bound by the examples which they have left us, and by the blessings which we have enjoyed, as the fruits of their labors, to transmit the same, unimpaired, to the succeeding generation.

In the compass of thirty-six years, since this great national covenant was instituted, a body of laws enacted under its authority, and in conformity with its provisions, has unfolded its powers and carried into practical operation its effective energies. Subordinate departments have distributed the ex-

ecutive functions in their various relations to foreign affairs, to the revenue and expenditures, and to the military force of the Union, by land and sea. A co-ordinate department of the judiciary has expounded the constitution and the laws; settling, in harmonious coincidence with the legislative will, numerous weighty questions of construction which the imperfection of human language had rendered unavoidable. The year of jubilee since the first formation of our Union has just elapsed; that of the declaration of our independence is at hand. The consummation of both was effected by this constitution. Since that period, a population of four millions has multiplied to twelve. A territory, bounded by the Mississippi, has been extended from sea to sea. New states have been admitted to the Union, in numbers nearly equal to those of the first confederation. Treaties of peace, amity and commerce, have been concluded with the principal dominions of the earth. The people of other nations, inhabitants of regions acquired, not by conquest but by compact, have been united with us in the participation of our rights and duties, of our burdens and blessings. The forest has fallen by the axe of our woodsmen-the soil has been made to teem by the tillage of our farmers; our commerce has whitened every ocean. The dominion of man over physical nature has been extended by the invention of our artists. Liberty and law have marched hand in hand. All the purposes of human association have been accomplished as effectively as under any other government on the globe; and at a cost little exceeding, in a whole generation. the expenditures of other nations in a single year.

Such is the unexaggerated picture of our condition under a constitution founded upon the republican principle of equal rights. To admit that this picture has its shades, is but to say that it is still the condition of men upon earth. From evil, physical, moral, and political, it is not our claim to be exempt. We have suffered sometimes by the visitation of Heaven, through disease; often by the wrongs and injustices of other nations, even to the extramities of war, and leady by diseaseigns among averaging disease.

both have required a liberal indulgence for a portion of human infirmity and error. The revolutionary wars of Europe, commencing precisely at the moment when the government of the United States first went into operation under this constitution, excited a collision of sentiments and of sympathies which kindled all the passions, and embittered the conflict of parties, till the nation was involved in war, and the Union was shaken to its centre. This time of trial embraced a period of five-and-twenty years, during which the policy of the Union, in its relations with Europe, constituted the principal basis of our political divisions, and the most arduous part of the action of our federal government. With the catastrophe in which the wars of the French revolution terminated, and our own subsequent peace with Great Britain, this baneful weed of party strife was uprooted. From that time, no difference of principle, connected either with the theory of government or with our intercourse with foreign nations, has existed or been called forth in force sufficient to sustain a continued combination of parties, or give more than wholesome animation to public sentiment or legislative debate. political creed is, without a dissenting voice that can be heard, that the will of the people is the source, and the happiness of the people the end, of all legitimate government upon earth. That the best security for the beneficence, and the best guarantee against the abuse of power, consists in the freedom, the purity, and the frequency of popular elections. That the general government of the Union, and the separate governments of the states, are all sovereignties of legitimated powers; fellow-servants of the same masters, uncontrolled within their respective spheres, uncontrollable by encroachments upon each other. That the firmest security of peace, is the preparation during peace of the defences of war. That a rigorous economy. and accountability of public expenditures, should guard against the aggravation, and alleviate, when possible, the burden of taxation. That the military should be kept in strict subordination to the civil power. That the freedom of the press and of religious opinion should be inviolate. That the policy of our country is peace, and the ark of our salvation, union, are articles of faith upon which we are all agreed. If there have been those who doubted whether a confederated representative democracy were a government competent to the wise and orderly management of the common concerns of a mighty nation, those doubts have been dispelled. If there have been projects of partial confederacies to be erected upon the ruins of the Union, they have been scattered to the winds. If there have been dangerous attachments to one foreign nation, and antipathies against another, they have been extinguished. Ten years of peace, at home and abroad, have assuaged the animosities of political contention, and blended into harmony the most discordant elements of public opinion. There still remains one effort of magnanimity, one sacrifice of prejudice and passion, to be made by the individuals throughout the nation, who have heretofore followed the standards of political party. It is that of discarding every remnant of rancor against each other; of embracing as countrymen and friends; and of yielding to talents and virtue alone that confidence which, in times of contention for principle, was bestowed only upon those who bore the badge of party communion.

The collisions of party spirit, which originate in speculative opinions or in different views of administrative policy, are in their nature transitory. Those which are founded on geographical divisions, adverse interests of soil, climate, and modes of domestic life, are more permanent, and therefore perhaps more dangerous. It is this which gives inestimable value to the

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character of our government, at once federal and national. It holds out to us a perpetual admonition to preserve alike, and with equal anxiety, the rights of each individual state in its own government, and the rights of the whole nation in that of the Union. Whatever is of domestic concernment, unconnected with the other members of the Union, or with foreign lands, belongs exclusively to the administration of the state governments. Whatsoever directly involves the rights and interests of the federative fraternity. or of foreign powers, is of the resort of this general government. duties of both are obvious in the general principle, though sometimes perplexed with difficulties in the detail. To respect the rights of the state governments is the inviolable duty of that of the Union; the government of every state will feel its own obligation to respect and preserve the rights of the whole. The prejudices everywhere too commonly entertained against distant strangers are worn away, and the jealousies of jarring interests are allayed by the composition and functions of the great national councils annually assembled from all quarters of the Union at this place. Here the distinguished men from every section of our country, while meeting to deliberate upon the great interests of those by whom they are deputed, learn to estimate the talents, and do justice to the virtues of each other. The harmony of the nation is promoted, and the whole Union is knit together by the sentiments of mutual respect, the habits of social intercourse, and the ties of personal friendship, formed between the representatives of its several parts in the performance of their service at this metropolis.

Passing from this general review of the purposes and injunctions of the federal constitution, and their results, as indicating the first traces of the path of duty in the discharge of my public trust, I turn to the administration of my immediate predecessor, as the second. It has passed away in a period of profound peace; how much to the satisfaction of our country, and to the

sion of the African traffic in slaves—in alluring the aboriginal hunters of our land to the cultivation of the soil and of the mind—in exploring the interior regions of the Union, and in preparing, by scientific researches and surveys, for the further application of our national resources to the internal

improvement of our country.

In this brief outline of the promise and performance of my immediate predecessor, the line of duty for his successor is clearly delineated. to their consummation those purposes of improvement in our common condition, instituted or recommended by him, will embrace the whole sphere of my obligations. To the topic of internal improvement, emphatically urged by him at his inauguration, I recur with peculiar satisfaction. It is that from which I am convinced that the unborn millions of our posterity. who are in future ages to people this continent, will derive their most fervent gratitude to the founders of the Union; that in which the beneficent action of its government will be most deeply felt and acknowledged. magnificence and splendor of their public works are among the imperishable glories of the ancient republics. The roads and aqueducts of Rome have been the admiration of all after-ages, and have survived thousands of years. after all her conquests have been swallowed up in despotism, or become the spoil of barbarians. Some diversity of opinion has prevailed with regard to the powers of Congress for legislation upon objects of this nature. The most respectful deference is due to doubts originating in pure patriotism. and sustained by venerated authority. But nearly twenty years have passed since the construction of the first national road was commenced. The anthority for its construction was then unquestioned. To how many thousands of our countrymen has it proved a benefit? To what single individual has it ever proved an injury? Repeated, liberal, and candid discussions in the legislature have conciliated the sentiments and approximated the opinions of enlightened minds, upon the question of constitutional power. I can not but hope that, by the same process of friendly, patient, and persevering deliberation, all constitutional objections will ultimately be removed. The extent and limitation of the powers of the general government, in relation to this transcendently important interest, will be settled and acknowledged to the common satisfaction of all; and every speculative scruple will be solved by a practical public blessing.

Fellow-citizens, you are acquainted with the peculiar circumstances of the recent elections, which have resulted in affording me the opportunity of addressing you at this time. You have heard the exposition of the principles which will direct me in the fulfilment of the high and solemn trust imposed upon me in this station. Less possessed of your confidence in advance than any of my predecessors, I am deeply conscious of the prospect that I shall stand, more and oftener, in need of your indulgence. Intentions upright and pure, a heart devoted to the welfare of our country, and the unceasing application of the faculties allotted to me to her service, are all the pledges that I can give to the faithful performance of the arduous duties I am to undertake. To the guidance of the legislative councils; to the assistance of the executive and subordinate departments; to the friendly co-operation of the respective state governments; to the candid and liberal support of the people, so far as it may be deserved by honest industry and zeal, I shall look for whatever success may attend my public service; and knowing that, except the Lord keep the city, the watchman waketh but in vain, with fervent supplications for his favor, to his overruling providence I commit, with humble but fearless confidence, my own fate, and the future

destinies of my country.

#### FIRST ANNUAL MESSAGE.

December 6, 1825.

To the Senate and House of Representatives of the United States :-

Is taking a general survey of the concerns of our beloved country, with reterence to subjects interesting to the common welfare, the first sentiment which impresses itself upon the mind, is of gratitude to the Omnipotent Dispenser of all good, for the continuance of the signal blessings of his providence, and especially for that health which, to an unusual extent, has prevailed within our borders; and for that abundance which, in the vicissitules of the seasons, has been scattered with profusion over our lands. Nor ought we less to ascarbe to him the glory, that we are permitted to enjoy the bounties of his hand in peace and tranquillity—in peace with all the other nations of the earth, in tranquillity among ourselves. There has, in leed, rurely been a period in the history of civilized man, in which the general condition of the Christian nations has been marked so extensively by peace and prosperity.

Emope, with a few partial and unhappy exceptions, has enjoyed ten years of peace, during which, all her governments, whatever the theory of their constitutions may have been, are successively taught to feel that the end of their institutions is the happiness of the people, and that the exercise of power among men can be justified only by the blessings it confers upon these over whom it is extended.

During the same period, our intercourse with all those nations has been prefile and triendly; it so continues. Since the close of your late session, no material variation has occurred in our relations with any one of them.

sively accepted by Great Britain, Sweden, the Netherlands, the Hanseatic cities, Prussia, Sardinia, the duke of Oldenburg, and Russia. It was also adopted, under certain modifications, in our late commercial convention with France. And by the act of Congress of the 8th of January, 1824, it has received a new confirmation with all the nations who had acceded to it, and has been offered again to all those who are or may hereafter be willing to abide in reciprocity by it. But all these regulations, whether established by treaty or by municipal enactments, are still subject to one

important restriction.

The removal of discriminating duties of tonnage and of impost is limited to articles of the growth, produce, or manufacture of the country to which the vessel belongs, or to such articles as are most universally first shipped from her ports. It will deserve the serious consideration of Congress, whether even this remnant of restriction may not be safely abandoned, and whether the general tender of equal competition, made in the act of the 8th of January, 1824, may not be extended to include all articles of merchandise not prohibited, of what country soever they may be the produce Propositions to this effect have already been made to us by more than one European government; and it is probable that, if once established by legislation or compact with any distinguished maritime state, it would recommend itself, by the experience of its advantages, to the general accession of all.

The convention of commerce and navigation between the United States and France, concluded on the 24th of June, 1822, was, in the understanding and intent of both parties, as appears upon its face, only a temporary arrangement of the points of difference between them of the most immediate and pressing urgency. It was limited, in the first instance, to two years from the first of October, 1822, but with a proviso, that it should further continue in force till the conclusion of a general and definitive treaty of commerce, unless terminated by a notice six months in advance, of either of the parties to the other. Its operation, so far as it extended, has been mutually advantageous; and it still continues in force, by common consent. But it left unadjusted several objects of great interest to the citizens and subjects of both countries, and particularly a mass of claims, to considerable amount, of citizens of the United States upon the government of France, of indemnity for property taken or destroyed, under circumstances of the most aggravated and outrageous character. In the long period, during which continual and earnest appeals have been made to the equity and magnanimity of France, in behalf of these claims, their justice has not been, as it could not be, denied. It was hoped that the accession of a new sovereign to the throne would have afforded a favorable opportunity for presenting them to the consideration of his government. They have been presented and urged, hitherto, without effect. The repeated and earnest representations of our minister at the court of France remains as yet even without any answer. Were the demands of nations upon the justice of each other susceptible of adjudication by the sentence of an impartial tribunal, those to which I now refer would long since have been settled, and adequate indemnity would have been obtained. There are large amounts of similar claims upon the Netherlands, Naples, and Denmark. For those upon Spain, prior to 1819, indemnity was, after many years of patient forbearance obtained; and those upon Sweden have been lately compromised by a private settlement, in which the claimants themselves have acquiesced. The governments of Denmark and of Naples have been recently reminded

of those yet existing against them; nor will any of them be forgotten while a hope may be indulged of obtaining justice by the means within the constitutional power of the executive, and without resorting to those measures of self-redress which, as well as the time, circumstances, and occasion, which may require them, are within the exclusive competency

of the legislature.

It is with great satisfaction that I am enabled to bear witness to the liberal spirit with which the republic of Colombia has made satisfaction for wellestablished claims of a similar character. And among the documents now communicated to Congress, will be distinguished a treaty of commerce and navigation with that republic, the ratifications of which have been exchanged since the last recess of the legislature. The negotiation of similar treaties with all the independent South American states has been contemplated, and may yet be accomplished. The basis of them all, as proposed by the United States, has been laid in two principles; the one, of entire and unqualified reciprocity; the other, the mutual obligation of the parties to place each other permanently on the footing of the most favored nation. These principles are, indeed, indispensable to the effectual emancipation of the American hemisphere from the thraldom of colonizing monopolies and exclusions-an event rapidly realizing in the progress of human affairs, and which the resistance still opposed in certain parts of Europe to the acknowledgment of the South American republics as independent states, will, it is believed, contribute more effectually to accomplish. The time has been, and that not remote, when some of those states might, in their anxious desire to obtain a nominal recognition, have accepted of a nominal independence, clogged with burdensome conditions, and exclusive commercial privileges granted to the nation from which they have separated, to the disadvantage of all others. They are now all aware that such concessions to any European nation would be incompatible with that independence which they have

Among the powers specifically granted to Congress by the constitution. are those of establishing uniform laws on the subject of bankruptcies throughout the United States, and of providing for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States. The magnitude and complexity of the interests affected by legislation upon these subjects, may account for the fact that, long and often as both of them have occupied the attention, and animated the debates of Congress, no systems have yet been devised for fulfilling, to the satisfaction of the community, the duties prescribed by these grants of power. To conciliate the claim of the individual citizen to the enjoyment of personal liberty, with the effective obligation of private contracts, is the difficult problem to be solved by a law of bankruptcy. These are objects of the deepest interest to society; affecting all that is precious in the existence of multitudes of persons, many of them in the classes essentially dependent and helpless; of the age requiring nurture, and of the sex entitled to protection from the free agency of the parent and the husband. The organization of the militia is yet more indispensable to the liberties of the country. It is only by an effective militia that we can at once enjoy the repose of peace, and bid defiance to foreign aggression; it is by the militia that we are constituted an armed nation, standing in perpetual panoply of defence, in the presence of all the other nations of the earth. To this end it would be necessary so to shape its organization, as to give it a more united and active energy. There are laws for establishing a uniform militia throughout the United States, and for arming and equipping its whole body. But it is a body of dislocated members, without the vigor of unity, and having little of uniformity but the name. To infuse into this most important institution the power of which it is susceptible, and to make it available for the defence of the Union, at the shortest notice, and at the smallest expense of time, of life, and of treasure, are among the benefits to be expected from the persevering deliberations of Congress.

Among the unequivocal indications of our national prosperity is the flourishing state of our finances. The revenues of the present year, from all their principal sources, will exceed the anticipations of the last. The balance in the treasury on the first of January last, was a little short of two millions of dollars, exclusive of two millions and a half, being a moiety of the loan of five millions, authorized by the act of the 26th of May, 1824. The receipts into the treasury, from the first of January to the 30th of September, exclusive of the other moiety of the same loan, are estimated at sixteen millions five hundred thousand dollars; and it is expected that those of the current quarter will exceed five millions of dollars; forming an aggregate of receipts of nearly twenty-two millions, independent of the loan. The expenditures of the year will not exceed that sum more than two millions. By those expenditures, nearly eight millions of the principal of the public debt have been discharged. More than a million and a half has been devoted to the debt of gratitude to the warriors of the revolution; a nearly equal sum to the construction of fortifications and the acquisition of ordnance, and other permanent preparatives of national defence; half a million to the gradual increase of the navy; an equal sum for purchases of territory from the Indians, and payment of annuities to them; and upward of a million for objects of internal improvement, authorized by special acts of the last Congress. If we add to these four millions of dollars for payment of interest upon the public debt, there remains a sum of about seven

millions, which have defrayed the whole expense of the administration of government, in its legislative, executive, and judiciary departments, including the support of the military and naval establishments, and all the occasional contingencies of a government co-extensive with the Union.

The amount of duties secured on merchandise imported, from the commencement of the year, is about twenty-five millions and a half; and that which will accrue during the current quarter is estimated at five millions and a half; from these thirty-one millions, deducting the drawbacks, estimated at less than seven millions, a sum exceeding twenty-four millions will constitute the revenue of the year, and will exceed the whole expenditures of the year. The entire amount of the public debt remaining due on the first of January next, will be short of eighty-one millions of dollars.

By an act of Congress of the 3d of March last, a loan of twelve millions of dollars was authorized at four and a half per cent., or an exchange of stock to that amount, of four and a half per cent., for a stock of six per cent., to create a fund for extinguishing an equal amount of the public debt, bearing an interest of six per cent., redeemable in 1826. An account of the measures taken to give effect to this act will be laid before you by the secretary of the treasury. As the object which it had in view has been but partially accomplished, it will be for the consideration of Congress, whether the power with which it clothed the executive should not be renewed at an early day of the present session, and under what modifications.

The act of Congress of the 3d of March last, directing the secretary of the treasury to subscribe, in the name and for the use of the United States, for one thousand five hundred shares of the capital stock of the Chesapeake and Delaware canal company, has been executed by the actual subscription for the amount specified; and such other measures have been adopted by that officer, under the act, as the fulfilment of its intentions requires. The latest accounts received of this important undertaking authorize the

was alike advantageous to the purchaser and the public. Under the system of sales, matured as it has been by experience, and adapted to the exigencies of the times, the lands will continue as they have become, an abundant source of revenue; and when the pledge of them to the public creditor shall be redeemed by the entire discharge of the national debt, the swelling tide of wealth with which they replenish the common treasury may be made to reflow, in unfailing streams of improvement, from the Atlantic to the Pacific ocean.

The condition of the various branches of the public service resulting from the department of war, and their administration during the current year, will be exhibited in the report of the secretary of war, and the accompanying documents herewith communicated. The organization and discipline of the army are effective and satisfactory. To counteract the prevalence of desertion among the troops, it has been suggested to withhold from the men a small portion of their monthly pay, until the period of their discharge; and some expedient appears to be necessary, to preserve and maintain among the officers so much of the art of horsemanship as could scarcely fail to be found wanting on the possibly sudden eruption of a war, which should overtake us unprovided with a single corps of cavalry. The military academy at West Point, under the restrictions of a severe but paternal superintendence, recommends itself more and more to the patronage of the nation; and the number of meritorious officers which it forms and introduces to the public service, furnishes the means of multiplying the undertaking of public improvements, to which their acquirements at that institution are peculiarly adapted. The school of artillery practice, established at Fortress Monroe, is well suited to the same purpose, and may need the aid of further legislative provisions to the same end. The report from the various officers at the head of the administrative branches of the military service, connected with the quartering, clothing, subsistence, health, and pay of the army, exhibit the assiduous vigilance of those officers in the performance of their respective duties, and the faithful accountability which has pervaded every part of the system.

Our relations with the numerous tribes of aboriginal natives of this country, scattered over its extensive surface, and so dependent, even for their existence, upon our power, have been during the present year highly inte-An act of Congress of the 25th of May, 1824, made an appropriation to defray the expenses of making treaties of trade and friendship with the Indian tribes beyond the Mississippi. An act of the 3d of March, 1825, authorized treaties to be made with the Indians for their consent to the making of a road from the frontier of Missouri to that of New Mexico. And another act, of the same date, providing for defraying the expenses of holding treaties with the Sioux, Chippewas, Menomonees, Sacs, Foxes, &c., for the purpose of establishing boundaries and promoting peace between said tribes. The first and the last objects of these acts have been accomplished; and the second is yet in process of execution. The treaties which. since the last session of Congress, have been concluded with the several tribes, will be laid before the senate for their consideration, conformably to the constitution. They comprise large and valuable acquisitions of territory, and they secure an adjustment of boundaries and give pledges of permanent peace between several tribes which had been long waging bloody was against each other.

On the 12th of February last, a treaty was signed at the Indian Springs, between commissioners appointed on the part of the United States and

certain chiefs and individuals of the Creek nation of Indians, which was received at the seat of government only a few days before the close of the last session of Congress and of the late administration. The advice and consent of the senate was given to it on the 3d of March, too late for it to receive the ratification of the then president of the United States; it was ratified on the 7th of March, under the unsuspecting impression that it had been negotiated in good faith, and in the confidence inspired by the recommendation of the senate. The subsequent transactions in relation to this treaty

will form the subject of a separate message.

The appropriations made by Congress for public works, as well in the construction of fortifications as for purposes of internal improvement, so far as they have been expended, have been faithfully applied. Their progress has been delayed by the want of suitable officers for superintending them. An increase of both the corps of engineers, military and topographical, was recommended by my predecessor at the last session of Congress. The reasons upon which that recommendation was founded subsist in all their force, and have acquired additional urgency since that time. It may also be expedient to organize the topographical engineers into a corps similar to the present establishment of the corps of engineers. The military academy at West Point will furnish, from the cadets annually graduated there, officers well qualified for carrying this measure into effect.

The board of engineers for internal improvement, appointed for carrying into execution the act of Congress of 30th April, 1824, "to procure the necessary surveys, plans, and estimates, on the subject of roads and canals," have been actively engaged in that service from the close of the last session of Congress. They have completed the surveys necessary for ascertaining the practicability of a canal from the Chesapeake bay to the Ohio river, and are preparing a full report on that subject, which, when completed, will be laid before you. The same observation is to be made with regard to the two other objects of great national importance, many which the heard based based as a least respective of great national importance, many which the heard based based as a least respective of great national importance, many which the heard based based as a least respective to the two other objects of great national importance, many which the heard based based on the contract of the contract o

the most important of them all, after surmounting no inconsiderable difficulty in fixing upon the direction of the road, has commenced under the most promising auspices, with the improvements of recent invention in the mode of construction, and with the advantage of a great reduction in the comparative cost of the work.

The operation of the laws relating to the revolutionary pensioners may deserve the renewed consideration of Congress. The act of 18th March. 1818, while it made provision for many meritorious and indigent citizens who had served in the war of independence, opened a door to numerous abuses and impositions. To remedy this, the act of 1st May, 1820, exacted proofs of absolute indigence, which many really in want were unable, and all, susceptible of that delicacy which is allied to many virtues, must be deeply reluctant to give. The result has been, that some among the least deserving have been retained, and some in whom the requisites both of worth and want were combined, have been stricken from the list. As thenumbers of these venerable relics of an age gone by diminish; as the decays of body, mind, and estate, of those that survive must, in the common course of nature, increase; should not a more liberal portion of indulgence be dealt out to them? May not the want in most instances be inferred from the demand, when the service can be duly proved; and may not the last days of human infirmity be spared the mortification of purchasing a pittance of relief only by the exposure of its own necessities? I submit to Congress the expediency either of providing for individual cases of this description, by special enactment, or of revising the act of the 1st of May, 1820, with a view to mitigate the rigor of its exclusions, in favor of persons to whom charity, now bestowed, can scarcely discharge the debt of justice.

The portion of the naval force of the Union in actual service has been chiefly employed on three stations: the Mediterranean, the coasts of South America bordering on the Pacific ocean, and the West Indies. An occasional cruiser has been sent to range along the African shores most polluted by the traffic of slaves; one armed vessel has been stationed on the coast of our eastern boundary, to cruise along the fishing grounds in Hudson's bay, and on the coast of Labrador; and the first service of a new frigate has been performed, in restoring to his native soil, and domestic enjoyments, the veteran hero whose youthful blood and treasure had freely flowed in the cause of our country's independence, and whose whole life has been a series of services and sacrifices to the improvement of his The visit of General Lafayette, alike honorable to himself fellow-men. and to our country, closed, as it had commenced, with the most affecting testimonials of devoted attachment on his part, and of unbounded gratitude of this people to him in return. It will form, hereafter, a pleasing incident in the annals of our Union, giving to real history the intense interest of romance, and signally marking the unpurchasable tribute of a great nation's social affections to the disinterested champion of the liberties of human kind.

The constant maintenance of a small squadron in the Mediterranean is a necessary substitute for the humiliating alternative of paying tribute for the security of our commerce in that sea, and for a precarious peace, at the mercy of every caprice of four Barbary states, by whom it was liable to be violated. An additional motive for keeping a respectable force stationed there at this time, is found in the maritime war raging between the Greeks and the Turks; and in which the neutral navigation of this Union is always in danger of outrage and depredation. A few instances have occurred

such depredations upon our merchant vessels by privateers or pirates wearing the Grecian flag, but without real authority from the Greek or any other government. 'The heroic struggles of the Greeks themselves, in which our warmest sympathies as freemen and Christians have been engaged, have continued to be maintained with vicissitudes of success adverse and favorable.

Similar motives have rendered expedient the keeping of a like force on the coasts of Peru and Chili, on the Pacific. The irregular and convulsive character of the war upon the shores has been extended to the conflicts upon the ocean. An active warfare has been kept up for years, with alternate success, though generally to the advantage of the American patriots. But their naval forces have not always been under the control of their own governments. Blockades, unjustifiable upon any acknowledged principles of international law, have been proclaimed by officers in command; and though disavowed by the supreme authorities, the protection of our own commerce against them has been made cause of complaint and of erroneous imputations against some of the most gallant officers of our pavy. Complaints equally groundless have been made by the commanders of the Spanish royal forces in those seas; but the most effective protection to our commerce has been the flag, and the firmness of our own commanding officers. The cessation of the war, by the complete triumph of the patriot cause, has removed, it is hoped, all cause of dissension with one party, and all vestige of force of the other. But an unsettled coast of many degrees of latitude, forming a part of our own territory, and a flourishing commerce and fishery, extending to the islands of the Pacific and to China, still require that the protecting power of the Union should be displayed under its flag, as well upon the ocean as upon the land.

The objects of the West India squadron have been, to carry into execution the laws for the suppression of the African slave-trade; for the protection

rich as ours could exist and be pursued in safety, without the continual support of a military marine—the only arm by which the power of this confederacy can be estimated or felt by foreign nations, and the only standing military force which can never be dangerous to our own liberties at home. A permanent naval peace establishment, therefore, adapted to our present condition, and adaptable to that gigantic growth with which the nation is advancing in its career, is among the subjects which have already occupied the foresight of the last Congress, and which will deserve your serious deliberations. Our navy, commenced at an early period of our present political organization upon a scale commensurate with the incipient energies, the scanty resources, and the comparative indigence of our infancy, was even then found adequate to cope with all the powers of Barbary, save the first, and with one of the principal maritime powers of Europe.

At a period of further advancement, but with little accession of strength, it not only sustained with honor the most unequal of conflicts, but covered itself and our country with unfading glory. But it is only since the close of the late war that, by the numbers and force of the ships of which it was composed, it could deserve the name of a navy. Yet it retains nearly the same organization as when it consisted only of five frigates. The rules and regulations by which it is governed earnestly call for revision; and the want of a naval school of instruction, corresponding with the military academy at West Point, for the formation of scientific and accomplished officers, is felt with daily increasing aggravation.

The act of Congress, of 26th of May, 1824, authorizing an examination and survey of the harbor of Charleston in South Carolina, of St. Mary's in Georgia, and of the coast of Florida, and for other purposes, has been executed so far as the appropriation would admit. Those of the 3d of March last, authorizing the establishment of a navy yard and depot on the coast of Florida, in the gulf of Mexico, and authorizing the building of ten sloops-of-war, and for other purposes, are in the course of execution, for the particulars of which, and other objects connected with this department, I refer to the report of the secretary of the navy herewith communicated.

A report from the postmaster-general is also submitted, exhibiting the present flourishing condition of that department. For the first time for many years, the receipts for the year ending on the first of July last, exceeded the expenditures during the same period, to the amount of more than forty-five thousand dollars. Other facts, equally creditable to the administration of the department, are, that in two years from the first of July, 1823, an improvement of more than one hundred and eighty-five thousand dollars, in its pecuniary affairs, has been realized; that, in the same interval, the increase of the transportation of the mail has exceeded one million five hundred thousand miles annually; and that one thousand and forty new postoffices have been established. It hence appears, that under judicious management, the income from this establishment may be relied on as fully adequate to defray its expenses; and that, by the discontinuance of postroads, altogether unproductive, others of more useful character may be opened, till the circulation of the mail shall keep pace with the spread of our population, and the comforts of friendly correspondence, the exchanges of internal traffic, and the lights of the periodical press, shall be distributed to the remotest corners of the Union, at a charge scarcely perceptible to any individual, and without the cost of a dollar to the public treasury.

Upon this first occasion of addressing the legislature of the Union, with which I have been honored, in presenting to their view the execution, so far as it has been effected, of the measures sanctioned by them, for promoting the internal improvement of our country, I can not close the communication without recommending to their calm and persevering consideration the general principle in a more enlarged extent. The great object of the institution of civil government is the improvement of the condition of those who are parties to the social compact. And no government, in whatever form constituted, can accomplish the lawful ends of its institution, but in proportion as it improves the condition of those over whom it is established. Roads and canals, by multiplying and facilitating the communications and intercourse between distant regions and multitudes of men, are among the most important means of improvement. But moral, political, and intellectual improvement are duties assigned by the Author of our existence to social, no less than to individual man. For the fulfilment of those duties, governments are invested with power; and to the attainment of the end, the progressive improvement of the condition of the governed, the exercise of delegated powers, is a duty as sacred and indispensable as the usurpation of powers not granted is criminal and odious. Among the first, perhaps the very first instrument for the improvement of the condition of men, is knowledge; and to the acquisition of much of the knowledge adapted to the wants, the comforts, and enjoyments of human life, public institutions and seminaries of learning are essential. So convinced of this was the first of my predecessors in this office, now first in the memory, as, living, he was first in the hearts of our countrymen, that once and again, in his addresses to the Congress with whom he co-operated in the public service, he earnestly recommended the establishment of seminaries of learning, to prepare for all the emergencies of peace and war-a national university, and a military academy. With respect to the latter, had he

completion of the expeditions were to be considered the only charges, it would be unworthy of a great and generous nation to take a second thought. One hundred expeditions of circumnavigation like those of Cook and La Perouse, would not burden the exchequer of the nation fitting them out, so much as the ways and means of defraying a single campaign in war. But if we take into the account the lives of those benefactors of mankind, of which their services in the cause of their species were the purchase, how shall the cost of those heroic enterprises be estimated? And what compensation can be made to them, or to their countries for them? Is it not by bearing them in affectionate remembrance? Is it not still more by imitating their example—by enabling countrymen of our own to pursue the same career, and to hazard their lives in the same cause?

In inviting the attention of Congress to the subject of internal improvements, upon a view thus enlarged, it is not my design to recommend the equipment of an expedition for circumnavigating the globe for purposes of scientific research and inquiry. We have objects of useful investigation nearer home, and to which our cares may be more beneficially applied. The interior of our own territories has yet been very imperfectly explored. Our coasts, along many degrees of latitude upon the shores of the Pacific ocean, though much frequented by our spirited commercial navigators, have been barely visited by our public ships. The river of the west, first fully discovered and navigated by a countryman of our own, still bears the name of the ship in which he ascended its waters, and claims the protection of our armed national flag at its mouth. With the establishment of a military post there, or at some other point of that coast, recommended by my predecessor, and already matured, in the deliberations of the last Congress, I would suggest the expediency of connecting the equipment of a public ship for the exploration of the whole northwest coast of this continent.

The establishment of a uniform standard of weights and measures was one of the specific objects contemplated in the formation of our constitution; and to fix that standard was one of the powers delegated by express terms, in that instrument to Congress. The governments of Great Britain and France have scarcely ceased to be occupied with inquiries and speculations on the same subject since the existence of our constitution; and with them it has expanded into profound, laborious, and expensive researches into the figure of the earth, and the comparative length of the pendulum vibrating seconds in various latitudes, from the equator to the pole. These researches have resulted in the composition and publication of several works highly interesting to the cause of science. The experiments are yet in the process of performance. Some of them have recently been made on our own shores, within the walls of one of our own colleges, and partly by one of our own fellow-citizens. It would be honorable to our country if the sequel of the same experiments should be countenanced by the patronage of our government, as they have hitherto been by those of France and Great Britain.

Connected with the establishment of a university, or separate from it, might be undertaken the erection of an astronomical observatory, with provision for the support of an astronomer, to be in constant attendance of observation upon the phenomena of the heavens; and for the periodical publication of his observations. It is with no feeling of pride, as an American, that the remark may be made that, on the comparatively small territorial surface of Europe, there are existing upward of one hundred and thirty of these lighthouses of the skies; while throughout the whole American

hemisphere there is not one. If we reflect a moment upon the discoveries which, in the last four centuries, have been made in the physical constitution of the universe, by the means of these buildings, and of observers stationed in them, shall we doubt of their usefulness to every nation? And while scarcely a year passes over our heads without bringing some new astronomical discovery to light, which we must fain receive at second-hand from Europe, are we not cutting ourselves off from the means of returning light for light, while we have neither observatory nor observer upon our half of the globe, and the earth revolves in perpetual darkness to our un-

searching eyes ?

When, on the 25th of October, 1791, the first president of the United States announced to Congress the result of the first enumeration of the inhabitants of this Union, he informed them that the returns gave the pleasing assurance that the population of the United States burdered on four millions of persons. At the distance of thirty years from that time, the last enumeration, five years since completed, presented a population bordering on ten millions. Perhaps of all the evidences of a prosperous and happy condition of human society, the rapidity of the increase of population is the most unequivocal. But the demonstration of our prosperity rests not alone upon this indication. Our commerce, our wealth, and the extent of our territories, have increased in corresponding proportions; and the number of independent communities, associated in our federal Union, has since that time nearly doubled. The legislative representation of the states and people, in the two houses of Congress, has grown with the growth of their constituent bodies. The house, which then consisted of sixty-five members, now numbers upward of two hundred. The senate, which consisted of twenty-six members, has now forty-eight. But the executive, and still more, the judiciary departments, are yet, in a great measure, confined to their primitive organization, and are now not adequate to the urgent wants

fluence of his high authority, in aid of the undoubting convictions of my own experience.

The laws relating to the administration of the patent office are deserving much consideration, and perhaps susceptible of some improvement. The grant of power to regulate the action of Congress on this subject, has specified both the end to be attained and the means by which it is to be effected, "to promote the progress of science and of useful arts, by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries." If an honest pride might be indulged in the reflection, that on the records of the office are already found inventions the usefulness of which has scarcely been transcended in the annals of human ingenuity, would not its exultation be allayed by the inquiry, whether the laws have effectually insured to the inventors the reward destined to them by the constitution—even a limited term of exclusive right to their discoveries?

On the 24th of December, 1799, it was resolved by Congress, that a marble monument should be erected by the United States, in the capitol, at the city of Washington; that the family of General Washington should be requested to permit his body to be deposited under it; and that the monument be so designed as to commemorate the great events of his military and political life. In reminding Congress of this resolution, and that the monument contemplated by it remains yet without execution, I shall indulge only the remarks, that the works in the capitol are approaching to completion: that the consent of the family, desired by the resolution, was requested and obtained; that a monument has been recently erected in this city, at the expense of the nation, over the remains of another distinguished patriot of the revolution; and that a spot has been reserved within the walls where you are deliberating for the benefit of this and future ages, in which the mortal remains may be deposited of him whose spirit hovers over you. and listens with delight to every act of the representatives of his nation which can tend to exalt and adorn his and their country.

The constitution under which you are assembled is a charter of limited After full and solemn deliberations upon all or any of the objects which, urged by an irresistible sense of my own duty, I have recommended to your attention, should you come to the conclusion that, however desirable in themselves, the enactment of laws for effecting them would transcend the powers committed to you by that venerable instrument which we are all bound to support, let no consideration induce you to assume the exercise of powers not granted to you by the people. But if the power to exercise exclusive legislation, in all cases whatsoever, over the District of Columbia; if the power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States; if the power to regulate commerce with foreign nations. and among the several states, and with the Indian tribes; to fix the standard of weights and measures; to establish postoffices and postroads; to declare war; to raise and support armies; to provide and maintain a navy; to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and to make all laws which shall be necessary and proper for carrying these powers into execution—if these powers, and others enumerated in the constitution, may be effectually brought into action by laws promoting the improvement of agriculture, commerce, and manufactures, the cultivation and encouragement of the mechanic and of the elegant arts, the advancement of literature, and

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CONTROL OF THE STREET

the process of the sceneral contradictal and profound: to refrain from execution of the contradict of the people themselves, would be to hide in the contradict of contradict to our charge -would be treachery to the manner contradict.

It is the proposed ment is abroad upon the earth. It stimulates the proposed of  $\phi_{ij}$  and  $\phi_{ij}$  are the facilities, not of our fellow-citizens alone, but of the as a Logar of of their rulers. While dwelling with pleasing some superior excellence of our political institutions, let us not be superior excellence of our political institutions, let us has staged to or liberty must, in proportion to its numbers, be the most positive tain upon outto, and that the tenure of power by man is, in the more present has Creator, upon condition that it shall be exercised to construction and to the condition of himself and his fellow-men. When the properties has blessed with that freedom which is power than one and a seal some with gigantic strides in the career of public improcess to we say to shanber in indolence, or fold up our arms and process a series would that we are pulsted by the will of our constituents. wearth, and action is away the bounties of Providence, and doom ourselves to product a from ty in In the course of the year now drawing to its close. we are a calculate the auspices and at the expense of one state of this The reason was a server anti-bling its portals to the sons of science, and hele and the form of human improvement to eyes that seek the light. We have been forcer the persevering and enlightened enterprise of another st that is with the or our western likes mingle with those of the ocean. It maker and so we to so have been accomplished in the compass of a few years, eye to act with only of single members of our confederation, can we, the representative a montres of the whole Union, full behind our fellow-servirts a to exercise of the trust committed to us for the benefit of our consists and so the garder the accomplishment of works important to the whole,

we continue to be highly favored in all the elements which contribute to individual comfort and to national prosperity. In the survey of our extensive country, we are generally to observe abodes of health and regions of plenty. In our civil and political relations, we have peace without, and tranquillity within our borders. We are, as a people, increasing with unabated rapidity in population, wealth, and national resources; and, whatever differences of opinion exist among us with regard to the mode and the means by which we shall turn the beneficence of Heaven to the improvement of our own condition, there is yet a spirit animating us all, which will not suffer the bounties of Providence to be showered upon us in vain, but will receive them with grateful hearts, and apply them with unwearied hands to the advancement of the general good.

Of the subjects recommended to the consideration of Congress at their last session, some were then definitely acted upon. Others left unfinished, but partly matured, will recur to your attention, without needing a renewal of notice from me. The purpose of this communication will be to present to your view the general aspect of our public affairs at this moment, and the measures which have been taken to carry into effect the intentions of the legislature as signified by the laws then and heretofore enacted.

In our intercourse with the other nations of the earth, we have still the happiness of enjoying peace and a general good understanding; qualified, however, in several important instances, by collisions of interest, and by unsatisfied claims of justice, to the settlement of which the constitutional interposition of the legislative authority may become ultimately indis-

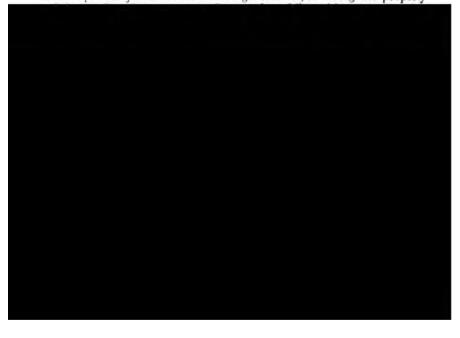
pensable.

By the decease of the emperor Alexander of Russia, which occurred cotemporaneously with the commencement of the last session of Congress. the United States have been deprived of a long-tried, steady, and faithful friend. Born to the inheritance of absolute power, and trained in the school of adversity, from which no power on earth, however absolute, is exempt. that monarch, from his youth had been taught to feel the force and value of public opinion, and to be sensible that the interests of his own government would be best promoted by a frank and friendly intercourse with this republic, as those of his people would be advanced by a liberal commercial intercourse with our country. A candid and confidential interchange of sentiments between him and the government of the United States, upon the affairs of South America, took place at a period not long preceding his demise, and contributed to fix that course of policy which left to the other governments of Europe no alternative but that of sooner or later recognising the independence of our southern neighbors, of which the example had by the United States already been set. The ordinary diplomatic communications between his successor, the emperor Nicholas, and the United States, have suffered some interruption by the illness, departure, and subsequent decease of his minister residing here, who enjoyed, as he merited, the entire confidence of his new sovereign, as he had eminently responded to that of his predecessor. But we have had the most satisfactory assurances that the sentiments of the reigning emperor toward the United States are altogether conformable to those which had so long and constantly animated his imperial brother; and we have reason to hope that they will serve to cement that harmony and good understanding between the two nations which, founded in congenial interests, can not but result in the advancement of the welfare and prosperity of both.

Our relations of commerce and navigation with France are, by the oper-

at on of the convention of 24th June, 1822, with that nation, in a state of or about and progressive improvement. Convinced by all our experience, no less than by the principles of fair and liberal reciprocity which the Late 1 States have one cantly tendered to all the nations of the earth, as the rule of compacient intercourse which they would universally prefer, that for an local compettion is most conducive to the interests of both parties. the United States, in the negotiation of that convention, earnestly contended for a mutual remandration of discriminating duties and charges in the ports of the two countries. Unable to obtain the immediate recognition of this principle on its fid. extent, after reducing the duties of discrimination so far as was found after ble, it was agreed that, at the expiration of two years from the first of Ostober, 1822, when the convention was to go into effect, unless a notice of six months on either side should be given to the other. that the convention itself must terminate, those duties should be reduced by one tourth, and that this reduction should be yearly repeated until all discrimination should couse while the convention itself should continue in force. By the effect of this stipulation, three fourths of the discriminating duties which had been levied by each party, upon the vessels of the other in its ports, have already been removed; and on the first of next October, st ould the convention be still in force, the remaining fourth will be dis-French vessels, laden with French produce, will be received in our ports on the same terms as our own; and ours, in return, will enjoy the same advantages in the ports of France.

By the sempproximations to an equality of duties and of charges, not only has the commerce between the two countries prospered, but friendly dispositions have been on both sales encouraged and promoted. They will contain to be charshed and cultivated on the part of the United States. It would have been grantying to have had it in my power to add, that the claims upon the justice of the French government, involving the property



cease, and all the provisions of the acts imposing discriminating foreign tonnage and import duties in the United States should revive and be in full force with regard to that nation.

In the correspondence with the government of the Netherlands upon this subject, they have contended that the favor shown to their own shipping by this bounty upon their tonnage is not to be considered as a discriminatory duty. But it can not be denied that it produces all the same effects. Had the mutual abolition been stipulated by treaty, such a bounty upon the national vessels could scarcely have been granted consistently with good Yet, as the act of Congress of 7th January, 1824, has not expressly authorized the executive authority to determine what shall be considered as a revival of discriminating duties by a foreign government to the disadvantage of the United States, and as the retaliatory measure on our part, however just and necessary, may tend rather to that conflict of legislation which we deprecate, than to that concert to which we invite all commercial nations as most conducive to their interest and our own, I have thought it more consistent with the spirit of our institutions to refer the subject again to the paramount authority of the legislature to decide what measure the emergency may require, than abruptly by proclamation to carry into effect the

minatory provision of the act of 1824.

During the last session of Congress, treaties of amity, navigation, and commerce, were negotiated and signed at this place with the government of Denmark in Europe, and with the federation of Central America in this These treaties then received the constitutional sanction of the senate, by the advice and consent to their ratification. They were accordingly ratified on the part of the United States, and during the recess of Congress, have been also ratified by the other respective contracting parties. The ratifications have been exchanged, and they have been published by proclamations, copies of which are herewith communicated to Congress. These treaties have established between the contracting parties the principles of equality and reciprocity in their broadest and most liberal extent. Each party admitting the vessels of the other into its ports, laden with cargoes the produce or manufacture of any quarter of the globe, upon the payment of the same duties of tonnage and impost that are chargeable upon their own. They have further stipulated, that the parties shall hereafter grant no favor of navigation or commerce to any other nation, which shall not, upon the same terms be granted to each other; and that neither party will impose upon articles of merchandise, the produce or manufacture of the other, any other or higher duties than upon the like articles, being the produce or manufacture of any other country. To these principles there is, in the convention with Denmark, an exception with regard to the colonies of that kingdom in the Arctic seas, but none with regard to her colonies in the West Indies.

In the course of the last summer, the term to which our last commercial treaty with Sweden was limited has expired. A continuation of it is in the contemplation of the Swedish government, and is believed to be desirable on the part of the United States. It has been proposed by the king of Sweden that, pending the negotiation of renewal, the expired treaty should be mutually considered as still in force; a measure which will require the sanction of Congress to be carried into effect on our part, and which I therefore recommend to your consideration.

With Prussia, Spain, Portugal, and in general all the European powers, between whom and the United States relations of friendly intercourse have CONTRACTOR OF THE PROPERTY OF

a security of courts and a not materially varied since the last session of the green and protected with the able to say the same of our commercial inter-cation with the course appasses stores of Great Britain in America. Negothe transfer capot trace to our common interests have been for Contract of see that the second is a satisfactory compromise of claims one and of the United States, in justice to the rights of a mation restan the entry of the two or two in the United States and the British coloring to the entry of the particular to the entry of products of nature, cultivated by human inclusive harmones of a commercial intercourse between the harmones of the harmone mean transaction of contrast. But it had been interfleted by Great Britain, upon a presence of contrast practised upon by the colonizing nations of because the contract of the of their colonies, each in exclusive monopoly to servels. At the astronomy on of the late war, this interdiction had been the velter of the But's a confirmant declined including this portion of our rate resonable with a region east making the negotiation of the convention of 1815. For the bows and the circulant exclusively in British vessels, till the per of congress of contact and second of 1848, and the supplemental act of 4820. in to the last of states are a partial measure on the part of the United Sortes - These processes, not of a talenton, but of necessary self-defence, with soon converse for hyparametrot parliament, opening certain colonial poits to the vessels of the United States, coming directly from them, and to the

stood by the British officers of the customs in the colonies where it was to be enforced, was nevertheless submitted to the consideration of Congress at their last session. With the knowledge that a negotiation upon the subject had long been in progress, and pledges given of its resumption at an early day, it was deemed expedient to await the result of that negotiation, rather than to subscribe implicitly to terms, the import of which was not clear, and which the British authorities themselves in this hemisphere were not prepared to explain.

Immediately after the close of the last session of Congress, one of our most distinguished citizens was despatched as envoy extraordinary and minister plenipotentiary to Great Britain, furnished with instructions which we could not doubt would lead to a conclusion of this long-controverted interest, upon terms acceptable to Great Britain. Upon his arrival, and before he had delivered his letters of credence, he was met by an order of the British council, excluding, from and after the first of December now current, the vessels of the United States from all the colonial British ports. excepting those immediately bordering upon our territories. In answer to his expostulations upon a measure thus unexpected, he is informed that, according to the ancient maxims of policy of European nations having colonies, their trade is an exclusive possession of the mother-country. That all participation in it by other nations is a boon or favor not forming a subject of negotiation, but to be regulated by the legislative acts of the power owning the colony. That the British government, therefore, declines negotiating concerning it, and that as the United States did not forthwith accept. purely and simply, the terms offered by the act of parliament of July, 1825. Great Britain would not admit the vessels of the United States even upon the terms on which she had opened them to the navigation of other nations.

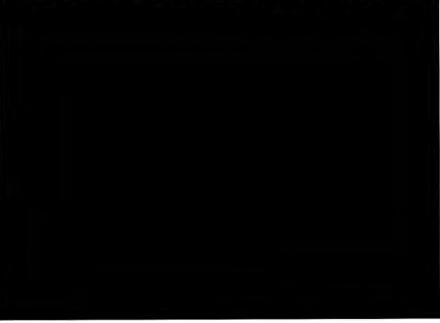
We have been accustomed to consider the trade which we have enjoyed with the British colonies rather as an interchange of mutual benefits than as a mere favor received; that under every circumstance we have given an ample equivalent. We have seen every other nation holding colonies negotiate with other nations, and grant them freely admission to the colonies by treaty; and, so far are the other colonizing nations of Europe now from refusing to negotiate for trade with their colonies, that we ourselves have secured access to the colonies of more than one of them by treaty. The refusal, however, of Great Britain to negotiate, leaves to the United States no other alternative than that of regulating, or interdicting altogether the trade on their part, according as either measure may affect the interests of our own country; and, with that exclusive object, I would recommend the whole subject to your calm and candid deliberations.

It is hoped that our unavailing exertions to accomplish a cordial good understanding on this interest will not have an unpropitious effect upon the other great topics of discussion between the two governments. Our northeastern and northwestern boundaries are still unadjusted. The commissioners under the 7th article of the treaty of Ghent have nearly come to the close of their labors; nor can we renounce the expectation, enfeebled as it is, that they may agree upon their report to the satisfaction or acquiescence of both parties. The commission for liquidating the claims for indemnity for slaves carried away after the close of the war has been sitting, with doubtful prospects of success. Propositions of compromise have, however, passed between the two governments, the result of which we flatter ourselves may yet prove satisfactory. Our own dispositions and purposes toward Great Britain are all friendly and conciliatory; nor can we aban-

than the well-strong relactance, the belief that they will ultimately meet graded the season which we neither ask nor desire, but of equal re-

White A consists of this hemisphere we continue to maintain a consist of the hemisphere we continue to maintain a consist of the friendly, and between their nations and ours that are experienced into change of which mutual benefit is the source, and that the continuous state of improveand two a Span and them, since the total expulsion of the Specifically the free their continental territories, has been little more where the first merial tranquility, though occasionally memced by the continent we have well-continued with never full to leave behind them, has not blee affected by any secons enhantly.

1 the second series from several of those nations which assembled the property states of session there, adjourned to meet again, at a more tractions as well in the new aborhood of Mexico. The decease of one of our services of way to the isthmus, and the impediments of the season, we have the department the other, deprived us of the advantage of remembers which at the first meeting of the congress. There is, howexperience are to be here that any of the transactions of the congress were of the trace to the tragger usly the interests of the United States, or to regions of the section of our ministers had they been present. Their also contained the contained in the opportunity of possessing precise and the search safe rear evol the treaties which were concluded at Panama; and the weather each has confirmed me in the conviction of the expediency to the Levis a State of being a presented at the congress. The surviving me a control of second promo bluming your last session, has accordingly proceeds to be a controlled and Limentof the sense of war, a property to the senate. A treaty of amity, navigation, and commerce has, in the course of last summer, been concluded by



receipts of the current quarter, estimated at six millions of dollars, yield, with the sums already received, a revenue of about twenty-five millions and a half for the year. The expenditures for the first three quarters of the year have amounted to eighteen millions seven hundred and fourteen thousand two hundred and twenty-six dollars, sixty-six cents. The expenditures of the current quarter are expected, including the two millions of the principal debt to be paid, to balance the receipts. So that the expenses of the year, amounting to upward of a million less than its income, will leave a proportionally increased balance in the treasury on the first of January, 1827, over that of the first of January last. Instead of five millions two hundred thousand dollars, there will be six millions four hundred thousand dollars

The amount of duties secured on merchandise imported from the commencement of the year until the 30th of September, is estimated at twentyone millions two hundred and fifty thousand dollars, and the amount that will probably accrue during the present quarter, is estimated at four millions two hundred and fifty thousand dollars, making for the whole year twentyfive millions five hundred thousand dollars, from which the drawbacks being deducted, will leave a clear revenue from the customs, receivable in the year 1827, of about twenty millions four hundred thousand dollars, which, with the sums to be received from the proceeds of the public lands, the bank dividends, and other incidental receipts, will form an aggregate of about twenty-three millions of dollars, a sum falling short of the whole expenses of the present year, little more than the portion of those expenditures applied to the discharge of the public debt, beyond the annual appropriation of ten millions of dollars by the act of the 3d March, 1817. At the passage of that act, the public debt amounted to one hundred and twenty-three millions five hundred thousand dollars. On the 1st of January next it will be short of seventy-four millions of dollars. In the lapse of these ten years, fifty millions of dollars of public debt, with the annual charge of upward of three millions of dollars of interest upon them, have been extinguished. At the passage of that act, of the annual appropriation of the ten millions of dollars, seven were absorbed in the payment of interest, and not more than three millions of dollars went to reduce the capital of the debt. Of the same ten millions of dollars, at this time scarcely four are applicable to the interest, and upward of six are effective in melting down the capital. Yet our experience has proved that a revenue consisting so largely of imposts and tonnage ebbs and flows, to an extraordinary extent, with all the fluctuations incident to the general commerce of the world. It is within our recollection that even in the compass of the same last ten years, the receipts of the treasury were not adequate to the expenditures of the year; and that in two successive years it was found necessary to resort to loans to meet the engagements of the nation. The returning tides of the succeeding years replenished the public coffers, until they have again begun to feel the vicissitudes of a decline. To produce these alterations of fulness and exhaustion, the relative operation of abundant or of unfruitful seasons, the regulations of foreign governments, political revolutions, the prosperous or decaying condition of manufactures, commercial speculations, and many other causes, not always to be traced, variously combine. We have found the alternate swells and diminutions embracing periods of from two to three years. The last period of depression to us was from 1819 to 1822. The corresponding revival was from 1823 to the commencement of the present year. Still we have no cause to apprehend a depression comparable to that of the former period, or

country the perturbationery which will intrench upon the ability to apply the entertain all his ordell as to the reduction of the debt. It is well the establishment to be always to be always and of the necessity of abiding by the maxims of the next agreed economy, and of resorting to all honorable and useful expendence the personal with steady and inflexible perseverance the total as tagge of the sect.

The classical amilions of dollars of the loans of 1813, which will have hour the large that the course of the present year, there are nine millions of Tolly which, by the terms of the contracts, would have been, and are now refres to the Transcontinuous of dollars more of the loan of 1814 will because of countries from an latter the expiration of the present month, and time of a randhous from and later the close of the ensuing year. coast, we arm seed that wone millions of dollars, all bearing an interest of Six per centagraph of the a twenty millions of dollars of which will be immedistributed from the could be rest within little more than a year. or this amount fitter amillions of dollars to continue at the interest of six per cent, of to be, as far as shall be found practicable, paid off in the heart 1827 will 1828, by teas so receiv a doubt that the remaining sixteen in feet in 2% within 16 will norths be discharged by a loan at not exoperation, a surrectine and five hundred thousand dollars may be saved to the section, and the assertings of the whole thirty-one millions of dollars within the course reaches be greatly facilitated, if not wholly accomplished.

By a refer tongless of 3d March, 1825, a loan for the purpose now refered a corresponding to stock, was authorized, at an interest not exceed a constraint of a refer to Bar, at that time, so large a portion of the floring secretary was absorbed in commercial speculations, and so the was transfer in the stocks, that the measure was but particles a confidence of the first session of Congress, the condition of the funds



undergone no change since its reduction to the present peace establishment in 1821, it remains only to observe, that it is yet found adequate to all the purposes for which a permanent armed force in time of peace can be needed or useful. It may be proper to add that, from a difference of opinion between the late president of the United States and the senate, with regard to the construction of the act of Congress of the 2d of March, 1821, to reduce and fix the military peace establishment of the United States, it remains hitherto so far without execution, that no colonel has been appointed to command one of the regiments of artillery. A supplementary or explanatory act of the legislature appears to be the only expedient practicable for removing the difficulty of this appointment.

In a period of profound peace, the conduct of the mere military establishment forms but a very inconsiderable portion of the duties devolving upon the administration of the department of war. It will be seen by the returns from the subordinate departments of the army, that every branch of the service is marked with order, regularity, and discipline. That from the commanding general through all the gradations of superintendence, the officers feel themselves to have been citizens before they were soldiers, and that the glory of a republican army must consist in the spirit of freedom by which it is animated, and of patriotism by which it is impelled. It may be confidently stated, that the moral character of the army is in a state of continual improvement, and that all the arrangements for the disposal of its parts have a constant reference to that end.

But to the war department are attributed other duties, having indeed relation to a future possible condition of war, but being purely defensive, and in their tendency contributing rather to the security and permanency of peace. The erection of the fortifications provided for by Congress, and adapted to secure our shores from hostile invasion; the distribution of the fund of public gratitude and justice to the pensioners of the revolutionary war; the maintenance of our relations of peace and of protection with the Indian tribes; and the internal improvements and surveys for the location of roads and canals, which, during the last three sessions of Congress, have engaged so much of their attention, and may engross so large a share of their future benefactions to our country.

By the act of the 30th of April, 1824, suggested and approved by my predecessor, the sum of thirty thousand dollars was appropriated for the purpose of causing to be made the necessary surveys, plans, and estimates of the routes of such roads and canals as the president of the United States might deem of national importance in a commercial or military point of view, or necessary for the transportation of the public mail. 'The surveys, plans, and estimates for each, when completed, will be laid before Congress.

In execution of this act, a board of engineers was immediately instituted, and have been since most assiduously and constantly occupied in carrying it into effect. The first object to which their labors were directed, by order of the late president, was the examination of the country between the tide waters of the Potomac, the Ohio, and Lake Erie, to ascertain the practicability of a communication between them, to designate the most suitable route for the same, and to form plans and estimates, in detail of the expense of execution.

On the third of February, 1825, they made their first report, which was immediately communicated to Congress, and in which they declared, that having maturely considered the circumstances observed by them personally,



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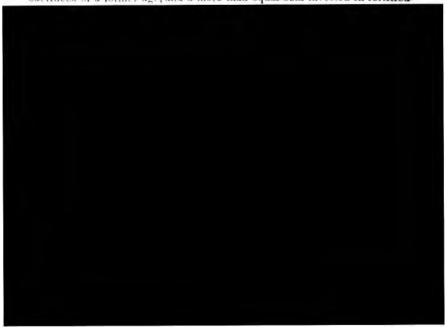
## JOHN Q. ADAMS'S SECOND ANNUAL MESSAGE.

and carefully studied the results of such of the preliminary surveys as were then completed, they were decidedly of opinion that the communication was practicable.

At the last session of Congress, before the board of engineers were enabled to make up their second report, containing a general plan and preparatory estimates for the work, the committee of the house of representatives upon roads and cands, closed the session with a report, expressing the hope that the plans and estimates of the board of engineers might at this time be prepared, and that the subject be referred to the early and favorable consideration of Congress at their present session. That expected report of the board of engineers is prepared, and will forthwith be laid before you.

Inder the resolution of Congress, authorizing the secretary of war to have prepared a complete system of cavalry tactics, and system of exercise and instruction of field arilllery, for the use of the militia of the United Sixes, to be reported to Congress at the present session, a board of distinguished officers of the army and of the militia has been convened, whose report will be submitted to you, with that of the secretary of war. The occision was thought favorable for consulting the same board, aided by the results of a correspondence with the governors of the several states and territories, and other citizens of intelligence and experience, upon the acknowledge I derective condition of our militia system, and of the improvements of which it is susceptible. The report of the board upon this subject is also submitted for your consideration.

In the estimated appropriations for the ensuing year, upward of five millions of dollars will be submitted for the expenditures to be paid from the department of war. Less than two lifths of this will be applicable to the maintenance and support of the army. A million and a half, in the form of pensions, goes as a scarcely adequate tribute to the services and sacrifices of a former age, and a more than equal sum invested in fortifica-



meet any invader who might attempt to set foot upon our shores. Combining with a system of fortifications upon the shores themselves, commenced about the same time under the auspices of my immediate predecessor, and hitherto systematically pursued, it has placed in our possession the most effective sinews of war, and has left us at once an example and a lesson from which our own duties may be inferred. The gradual increase of the navy was the principle of which the act of 29th April, 1816, was the first development. It was the introduction of a system to act upon the character and history of our country for an indefinite series of ages. It was a declaration of that Congress, to their constituents and to posterity. that it was the destiny and the duty of these confederated states to become. in regular process of time, and by no percy advances, a great naval power. That which they proposed to accomplish in eight years is rather to be considered as the measure of their means, than the limitation of their design. They looked forward for a term of years sufficient for the accomplishment of a definite portion of their purpose; and they left to their successors to fill up the canvass of which they had traced the large and prophetic outline. The ships-of-the-line and frigates, which they had in contemplation, will be shortly completed. The time which they had allotted for the accomplishment of the work has more than elapsed. It remains for your consideration how their successors may contribute their portion of toil and of treasure for the benefit of the succeeding age, in the gradual increase of There is, perhaps, no part of the exercise of the constitutional powers of the federal government which has given more general satisfaction to the people of the Union than this. The system has not been thus vigorously introduced and hitherto sustained, to be now departed from or abandoned. In continuing to provide for the gradual increase of the navy, it may not be necessary or expedient to add for the present any more to the number of our ships; but should you deem it advisable to continue the yearly appropriation of half a million to the same objects, it may be profitably expended in providing a supply of timber to be seasoned, and other materials for future use in the construction of docks, or in laying the foundation of schools for naval education, as to the wisdom of Congress either of those measures may appear to claim the preference.

Of the small portions of this navy engaged in actual service during the peace, squadrons have continued to be maintained on the Pacific ocean, in the West India seas, and in the Mediterranean; to which has been added a small armament to cruise on the eastern coast of South America. In all they have afforded protection to our commerce, have contributed to make our country advantageously known to foreign nations, have honorably employed multitudes of our seamen in the service of their country, and have inured numbers of youths of the rising generation to lives of manly hardihood and of nautical experience and skill. The piracies with which the West India seas were for several years infested, have been totally suppressed. But in the Mediterranean they have increased in a manner afflictive to other nations, and but for the continual presence of our squadron, would probably have been distressing to our own. The war which has unfortunately broken out between the republic of Buenos Ayres and the Brazilian government, has given rise to very great irregularities among the naval officers of the latter, by whom principles in relation to blockades, and to neutral navigation, have been brought forward, to which we can not subscribe, and which our own commanders have found it necessary to resist. From the friendly disposition toward the United States coneconomical administration of tha even of the year including the k 1825, had exceeded its expenditt sand dollars. That of the succee The increase of the receipts, in over that of the year before, exce dollars, and the excess of the rece swollen from forty-five thousand t the same period, contracts for add. for about two hundred and sixty seventy thousand miles annually, teen new postoffices have been e crease of revenue within the last of the transportation by mail, is m ceipts and of mail conveyance at t when the seat of the general gover we reflect that the objects effects among the choicest comforts and observe that the dissemination of outstripped in their increase even

By the treaties with France ar and the Floridas to the United Sta of land titles derived from the govress has been made, under the au the ascertainment and establishme large extent remain unadjusted. rights of individuals, and the inter require further provision for the sp therefore recommend to the care a

In conformity with the provision erecting a penitentiary in the Districtive commissioners were appoint penitentiary for the district, and also county jail; both of which object the penitentiary has been

at the precise interval of half a century from each other. Since your last meeting at this place, the fiftieth anniversary of the day when our independence was declared, has been celebrated throughout our land; and on that day, when every heart was bounding with joy, and every voice was tuned to gratulation, amid the blessings of freedom and independence, which the sires of a former age have handed down to their children, two of the principal actors in that solemn scene, the hand that penned the ever-memorable declaration, and the voice that sustained it in debate, were, by one summons, at the distance of seven hundred miles from each other, called before the Judge of all, to account for their deeds done upon earth. They departed, cheered by the benedictions of their country, to whom they left the inheritance of their fame, and the memory of their bright example. If we turn our thoughts to the condition of their country, in the contrast of the first and last day of that half century, how resplendent and sublime is the transition from gloom to glory! Then, glancing through the same lapse of time, in the condition of the individuals, we see the first day marked with the fulness and vigor of youth, in the pledge of their lives, their fortunes, and their sacred honor, to the cause of freedom and mankind. And on the last, extended on the bed of death, with but sense and sensibility left to breathe a last aspiration to Heaven of blessing upon their country; may we not humbly hope, that to them too, it was a pledge of transition from gloom to glory; and that while their mortal vestments were sinking into the clod of the valley, their emancipated spirits were ascending to the bosom of their God!

## THIRD ANNUAL MESSAGE.

DECEMBER 8, 1827.

To the Senate and House of Representatives of the United States:-

A REVOLUTION of the seasons has nearly been completed since the representatives of the people and the states of this Union were last assembled at this place, to deliberate and to act upon the common important interests of their constituents. In that interval, the never-slumbering eve of a wise and beneficent Providence has continued its guardian care over the welfare of our beloved country; the blessing of health has continued generally to prevail throughout the land; the blessing of peace with our brethren of the human race has been enjoyed without interruption; internal quiet has left our fellow-citizens in the full enjoyment of all their rights, and in the free exercise of all their faculties, to pursue the impulse of their nature, and the obligation of their duty in the improvement of their own condition; the productions of the soil, the exchanges of commerce, the vivifying labors of human industry, have combined to mingle in our cup a portion of enjoyment as large and liberal as the indulgence of Heaven has perhaps ever granted to the imperfect state of man upon earth; and, as the purest of human felicity consists in its participation with others, it is no small addition to the sum of our national happiness at this time, that peace and prosperity prevail to a degree seldom experienced over the whole habitable globe; presenting, though as yet with painful exceptions, a foretaste of that blessed period of promise, when the lion shall lie down with the lamb, and wars shall be no more. To preserve, to improve, and to perpetuate, the wources,

...... w machange. Our relations of friendship wit and commercial, have been prese to improve them have been cultiv tion. A negotiation upon subject government of Great Britain, has the questions at issue, upon satis others for future discussion and vention concluded at St. Petersbu the mediation of the late emperor. by a subsequent convention, conclu ber, 1826, the ratifications of whice 6th day of February last. A copy day of March last, publishing this to Congress. The sum of twelve h and sixty dollars, therein stipulated ty, under the first article of the tree and the commission instituted, conf 2d of March last, for the distribution to receive it, are now in session, their labors. This final disposal of c ion between the United States and ( sion of gratulation to ourselves, but i ting a friendly disposition, and in sof discussion. Nor ought it to pass wi acknowledgment of the magnanimit the reparation of their own wrongs, a

any field of blood can ever bestow.

The conventions of 3d July, 1815, by their own limitation, on the 20th (the direct commercial intercourse b Britain, upon terms of the most pertemporary compromise of the respect ward of the Rocky mountains. The for an indefinite period of time, after

moting peace and harmony between nations whose interests, exclusively considered on either side, are brought into frequent collisions by competition. In framing such treaties, it is the duty of each party, not simply to urge with unvielding pertinacity that which suits its own interests, but to concede liberally to that which is adapted to the interest of the other. To accomplish this, little more is generally required than a simple observance of the rule of reciprocity; and were it possible for the statesman of one nation, by stratagem and management, to obtain from the weakness or ignorance of another an overreaching treaty, such a compact would prove an incentive to war rather than a bond of peace. Our conventions with Great Britain are founded upon the principles of reciprocity. The commercial intercourse between the two countries is greater in magnitude and amount than between any two other nations on the globe. It is, for all purposes of benefit or advantage to both, as precious, and in all probability far more extensive, than if the parties were still constituent parts of one and the same Treaties between such states, regulating the intercourse of peace between them, and adjusting interests of such transcendent importance to both, which have been found in a long experience of years mutually advantageous, should not be lightly cancelled or discontinued. Two conventions for continuing in force those above mentioned, have been concluded between the plenipotentiaries of the two governments, on the 6th of August last, and will be forthwith laid before the senate for the exercise of their constitutional authority concerning them.

In the execution of the treaties of peace, of November, 1782, and September, 1783, between the United States and Great Britain, and which terminated the war of our independence, a line of boundary was drawn as the demarcation of territory between the two countries, extending over near twenty degrees of latitude, and ranging over seas, lakes, and mountains, then very imperfectly explored, and scarcely opened to the geographical knowledge of the age. In the progress of discovery and settlement by both parties, since that time, several questions of boundary between their respective territories have arisen, which have been found of exceedingly difficult adjustment. At the close of the last war with Great Britain, four of these questions pressed themselves upon the consideration of the negotiation of the treaty of Ghent, but without the means of concluding a definitive arrangement concerning them. They were referred to three separate commissions, consisting of two commissioners, one appointed by each party, to examine and decide upon their respective claims. In the event of disagreement between the commissioners, it was provided that they should make reports to their several governments, and that the reports should finally be referred to the decision of a sovereign, the common friend of both. Of these commissions two have already terminated their sessions and investigations, one by entire, and the other by partial agreement. The commissioners of the fifth article of the treaty of Ghent have finally disagreed, and made their conflicting reports to their own governments. But from these reports a great difficulty has occurred in making up a question to be decided by the arbitrator. 'I'his purpose has, however, been affected by a fourth convention, concluded at London by the plenipotentiaries of the two governments, on the 29th of September last. It will be submitted, together with the others, to the consideration of the senate.

While these questions have been pending, incidents have occurred of conflicting pretensions, and of a dangerous character, upon the territory itself in dispute between the two nations. By a common understanding

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me result of those inquiries, whe gress.

While so many of the subjects between the two countries have be that their views respecting commo States and the British colonial posto a friendly agreement.

At the commencement of the last: of the sudden and unexpected ex access, in vessels of the United St those immediately bordering upon ( discussions which have succeeded it affected harshly the interests of tl expostulation on our part, the princ been placed have been of a diversit ascribed to a mere recurrence to the nial monopoly, and at the same time offers of an act of parliament, openir ditions had not been grasped at wit neous conformity to them. At a sul that the new exclusion was in reser ment, of 1822, opening certain coloni restrictions to vessels of the United St admission of British vessels from the any restriction or discrimination wh interdiction what it may, the British position, either by negotiation or by to recede from it, and we have been neither of the bills which were under last session, would have been deemed been rewarded by any relaxation from the inconveniences inseparably conr reciprocal legislation, interests of this what would be satisfactory to the oth for the avowed and vincera ----

of 5th July, 1825, and the order of council, of 27th July, 1826, prohibited. The effect of this proclamation, by the terms of the act under which it was issued, has been, that each and every provision of the act concerning navigation, of 18th of April, 1818, and of the act supplementary thereto, of 15th of May, 1820, revived, and is in full force. Such, then, is the present condition of the trade, that, useful as it is to both parties, it can, with a single momentary exception, be carried on directly by the vessels of neither. That exception itself is found in a proclamation of the governor of the island of St. Christopher and of the Virgin islands, inviting, for three months from the 28th of August last, the importation of the articles of the produce of the United States, which constitute their export portion of this trade, in the vessels of all nations. That period having already expired, the state of mutual interdiction has again taken place. The British government have not only declined negotiation upon this subject, but by the principle they have assumed with reference to it, have precluded even the means of negotiation. It becomes not the self-respect of the United States either to solicit gratuitous favors, or to accept as the grant of a favor that for which an ample equivalent is exacted. It remains to be determined by the respective governments, whether the trade shall be opened by acts of reciprocal legislation. It is, in the meantime, satisfactory to know that, apart from the inconveniences resulting from a disturbance of the usual channels of trade, no loss has been sustained by the commerce, the navigation, or the revenue of the United States, and none of magnitude is to be apprehended from this existing state of mutual interdict.

With the other maritime and commercial nations of Europe our intercourse still continues with little variation. Since the cessation, by the convention of 24th June, 1822, of all discriminating duties upon the vessels of the United States and of France, in either country, our trade with that nation has increased and is increasing. A disposition on the part of France has been manifested to renew that negotiation; and, in acceding to the proposal, we have expressed the wish that it might be extended to other objects, upon which a good understanding between the parties would be beneficial to the interests of both. The origin of the political relations between the United States and France is coeval with the first years of our independence. The memory of it is interwoven with that of our arduous struggle for national existence. Weakened as it has occasionally been since that time, it can by us never be forgotten; and we should hail with exultation the moment which should indicate a recollection equally friendly in spirit on the part of France. A fresh effort has recently been made, by the minister of the United States residing at Paris, to obtain a consideration of the just claims of citizens of the United States, to the reparation of wrongs long since committed, many of them frankly acknowledged, and all of them entitled, upon every principle of justice, to a candid examination. The proposal last made to the French government has been, to refer the subject which has formed an obstacle to this consideration to the determination of a sovereign the common friend of both. To this offer no definitive answer has yet been received; but the gallant and honorable spirit which has at all times been the pride and glory of France, will not ultimately permit the demands of innocent sufferers to be extinguished in the mere consciousness of the power to reject them.

A new treaty of amity, navigation, and commerce, has been concluded with the kingdom of Sweden, which will be submitted to the senate, for their advice with regard to its ratification. At a more recent date, a minis-

pean powers are co-operating with hir manity may indulge the hope that the unequal of conflicts which they have that they will enjoy the blessings of sferings in the cause of liberty, they I independence will be secured by thos country furnished the earliest examp which have consecrated to immortal re they are now again profusely pouring I which the people and the government c indulged with their cause, have been at a letter of thanks, which I have received the translation of which is now communicated that nation to whom this tribute of great to whom it was justly due.

In the American hemisphere, the caus continued to prevail, and if signalized b which had crowned with glory some of the from the banishment of all external for been maintained. 'The shout of victory sion of the enemy over whom it could I wishes and cordial good will, which hav nations of America, in all the vicissitude succeeded by a solicitude equally arden and purity of their institutions, they may blessings of social order, and the best : claiming alike all right and all intentio which it is the prerogative of their ind shall seem fit, we hail with joy every inc harmony, of their persevering and inflex freedom and of equal rights which are a per of the American nations. It has be that we have observed indications of int publics of the south, and appearances of we believe to be the interest of all

would furnish an opportunity for bringing all the nations of this hemisphere to the common acknowledgment and adoption of the principles, in the regulation of their internal relations, which would have secured a lasting peace and harmony between them, and have promoted the cause of mutual benevolence throughout the globe. But as obstacles appear to have arisen to the reassembling of the congress, one of the two ministers commissioned on the part of the United States has returned to the bosom of his country. while the ministers charged with the ordinary mission to Mexico remain authorized to attend at the conferences of the congress, whenever they may be resumed.

A hope was for a short time entertained that a treaty of peace, actually signed between the governments of Buenos Ayres and Brazil, would supersede all further occasions for those collisions between belligerent pretensions and neutral rights which are so commonly the result of maritime war. and which have unfortunately disturbed the harmony of the relations between the United States and the Brazilian government. At their last session, Congress were informed that some of the naval officers of that empire had advanced and practised upon principles in relation to blockade, and to neutral navigation, which we could not sanction, and which our commanders found it necessary to resist. It appears that they have not been sustained by the government of Brazil itself. Some of the vessels captured under the assumed authority of these erroneous principles have been restored, and we trust that our just expectations will be realized, that adequate indemnity will be made to all the citizens of the United States who have suffered by the unwarranted captures which the Brazilian tribunals them-

selves have pronounced unlawful.

In the diplomatic discussion at Rio de Janeiro of these wrongs, sustained by citizens of the United States, and of others which seemed as if emanating immediately from that government itself, the chargé d'affaires of the United States, under an impression that his representations in behalf of the rights and interests of his countrymen were totally disregarded and useless, deemed it his duty, without waiting for instructions, to terminate his official functions, to demand his passports, and return to the United States. This movement, dictated by an honest zeal for the honor and interest of his country-motives which operated exclusively upon the mind of the officer who resorted to it-has not been disapproved by me. The Brazilian government, however, complained of it as a measure for which no adequate intentional cause had been given by them; and, upon an explicit assurance, through their chargé d'affaires residing here, that a successor to the late representative of the United States near that government, the appointment of whom they desired, should be received and treated with the respect due to his character, and that indemnity should be promptly made for all injuries inflicted on citizens of the United States, or their property, contrary to the laws of nations, a temporary commission as charge d'affaires to that country has been issued, which, it is hoped, will entirely restore the ordinary diplomatic intercourse between the two governments, and the friendly relations between their respective nations.

Turning from the momentous concerns of our Union, in its intercourse with foreign nations, to those of the deepest interest in the administration of our internal affairs, we find the revenues of the present year corresponding as nearly as might be expected to the anticipations of the last, and presenting an aspect still more favorable in the promise of the next. The balance in the treasury on the first of January last, was six millions three on the first of January last, will, on the of sixty-seven millions five hundred thou treasury, on the first of January next, millions four hundred and fifty thousand the first of January, 1825, though falling of January last.

It was foreseen that the revenue of the of the last, which had itself been less tha But the hope has been realized which was would in no wise interrupt the steady opelic debt by the annual ten millions devote March, 1817.

The amount of duties secured on mer mencement of the year until the 30th of S ions two hundred and twenty-six thousan of that which will be secured during the ions seven hundred and seventy-four thou of twenty-seven millions of dollars. W and contingent deficiencies which may or seen, we may safely estimate the receipts millions three hundred thousand dollars; the expenditures of the present year.

The deep solicitude felt by our citizer Union for the total discharge of the pul earnestness with which I deem it my dut sideration of Congress—of recommendir of the strictest economy in the public fireceipts of the revenue which had commutinued with increased severity during the year. The returning tide began to flow v as we can judge from experience, may be course of the ensuing year. In the meaburden of the public debt will, in the three amount of nearly sixteen millions of dollaterest will have been reduced.

replenished from the receipts, as fast as they will be drained by the expenditures, equal in amount to those of the current year, it should not be forgotten that they could ill suffer the exhaustion of larger disbursements.

The condition of the army, and of all branches of the public service under the superintendence of the secretary of war, will be seen by the report from that officer, and the documents with which it is accompanied.

During the course of the last summer, a detachment of the army has been usefully and successfully called to perform their appropriate duties. At the moment when the commissioners appointed for carrying into execution certain provisions of the treaty of August 19th, 1825, with various tribes of the northwestern Indians, were about to arrive at the appointed place of meeting, the unprovoked murder of several citizens, and other acts of unequivocal hostility committed by a party of the Winnebago tribe, one of those associated in the treaty, followed by indications of a menacing character, among other tribes of the same region, rendered necessary an immediate display of the defensive and protective force of the Union in that quarter. It was accordingly exhibited by the immediate and concerted movements of the governors of the state of Illinois, and of the territory of Michigan, and competent levies of militia, under their authority, with a corps of seven hundred men of United States' troops, under the command of General Atkinson, who, at the call of Governor Cass, immediately repaired to the scene of danger from their station at St. Louis. Their presence dispelled the alarm of our fellow-citizens on those borders, and overawed the hostile purposes of the Indians. The perpetrators of the murders were surrendered to the authority and operation of our laws; and every appearance of purposed hostility from those Indian tribes has subsided.

Although the present organization of the army, and the administration of its various branches of service are, upon the whole, satisfactory, they are yet susceptible of much improvement in particulars, some of which have been heretofore submitted to the consideration of Congress, and others

are now first presented in the report of the secretary of war.

The expediency of providing for additional numbers of officers in the two corps of engineers will, in some degree, depend upon the number and extent of the objects of national importance upon which Congress may think it proper that surveys should be made, conformably to the act of the 30th of April, 1824. Of the surveys which, before the last session of Congress, had been made under the authority of that act, reports were made:—

- 1. Of the board of internal improvement on the Chesapeake and Ohio canal.
- 2. On the continuance of the national road from Cumberland to the tide waters within the district of Columbia.
  - 3. On the continuance of the national road from Canton to Zanesville.
  - 4. On the location of the national road from Zanesville to Columbus.
- 5. On the continuation of the same road to the seat of government in Missouri.
  - 6. On a postroad from Baltimore to Philadelphia.
  - 7. On a survey of Kennebec river (in part).
  - On a national road from Washington to Buffalo.
     On the survey of Saugatuck harbor and river.
- 10. On a canal from Lake Pontchartrain to the Mississippi river.
- 11. On surveys at Edgartown, Newburyport, and Hyannis harbor.

route for a contemplated communic rivers, in the state of Alabama.

Other reports of surveys upon ob-Congress of the last and preceding s tion, and most of them may be com-All the officers of both corps of eng. qualified, have been constantly emit passage of the act of the 30th of Apr advantage to accrue to the country f graphical knowledge which they ha alone would have been a profit to t the expenditures which have been d priations for the repair and continuati construction of various other roads, f the rivers and harbors, for the crectio. buoys, and for the completion of cana tions, but needing the assistance of me sive than individual enterprise can cor treasures laid up from the contributions posterity, than as unrequited applicationation. To such objects of permanen the country, of real addition to the wes people by whose authority and resourthree to four millions of the annual in enacted at the three most recent sessio out intrenching upon the necessities ( dollar to the taxes or debts of the com the steady and regular discharge of th which, within the same three years, he of nearly sixteen millions of dollars.

The same observations are, in a great tions made for fortifications upon the States, for the maintenance of the milithe various objects under the superinten The report of the are

ten years in progress, and which, for a series of years to come, will continue to claim the constant and persevering protection and superintendence of the legislative authority. Among the measures which have emanated from these principles, the act of the last session of Congress, for the gradual improvement of the navy, holds a conspicuous place. The collection of timber for the future construction of vessels-of-war, the preservation and reproduction of the species of timber peculiarly adapted to that purpose; the construction of dry docks for the use of the navy; the erection of a marine railway for the repair of the public ships, and the improvement of the navyvards for the preservation of the public property deposited in them, have all received from the executive the attention required by that act, and will continue to receive it, steadily proceeding toward the execution of all its The establishment of a naval academy, furnishing the means of theoretic instruction to the youths who devote their lives to the service of their country upon the ocean, still solicit the sanction of the legislature. Practical seamanship and the art of navigation may be acquired upon the cruises of the squadrons, which from time to time are despatched to distant seas; but a competent knowledge even of the art of ship-building, the higher mathematics, and astronomy; the literature which can place our officers on a level of polished education with the officers of other maritime nations; the knowledge of the laws, municipal and national, which, in their intercourse with foreign states and their governments, are continually called into operation; and above all, that acquaintance with the principles of honor and justice, with the higher obligations of morals, and of general laws, human and divine, which constitute the great distinction between the warrior-patriot, and the licensed robber and pirate: these can be systematically taught and eminently acquired only in a permanent school, stationed upon the shore, and provided with the teachers, the instruments, and the books, conversant with and adapted to the communication of the principles of these respective sciences to the youthful and inquiring mind.

The report from the postmaster-general exhibits the condition of that department as highly satisfactory for the present, and still more promising for the future. Its receipts for the year ending the first of July last, amounted to one million four hundred seventy-three thousand five hundred and fifty-one dollars, and exceeded its expenditures by upward of one hundred thousand dollars. It can not be an over-sanguine estimate to predict that, in less than ten years, of which one half have elapsed, the receipts will have been more than doubled. In the meantime, a reduced expenditure upon established routes has kept pace with increased facilities of public accommodation, and additional services have been obtained at reduced rates of compensation. Within the last year the transportation of the mail in stages has been greatly augmented. The number of postoffices has been increased to seven thousand; and it may be anticipated that, while the facilities of intercourse between fellow-citizens, in person or by correspondence, will soon be carried to the door of every villager in the Union, a yearly surplus of revenue will accrue which may be applied as the wisdom of Congress, under the exercise of their constitutional powers, may devise for the further establishment and improvement of the public roads, or by adding still further to the facilities in the transportation of the mail. Of the indications of the prosperous condition of our country, none can be more pleasing than those presented by the multiplying relations of personal and intimate intercourse between the citizens of the Union dwelling at the remotest distances

from each other.

ions of acres, of which, on the fir and thirty-nine millions of acres I nineteen millions of acres had beer ury by the purchasers of the lands for the whole, but leaves a small b the sales of the lands have long bee a pledge from which we have reas

vears be redeemed.

The system upon which this gre was the result of long, anxious, and modified by the progress of our por it has been hitherto eminently succ lands still remain the common propdisposal of which are sacred trusts in sold, a considerable part were conve the vicissitudes and fluctuations in t became oppressively burdensome to interest or the policy of the nation to sonable profits of their industry and e ous import of disastrous engagement: two millions of dollars, due by purch. lated, which they were unable to pay March, 1821, came to their relief, ar latest being the act of the 4th of M: which expired on the 4th of July last to reduce the debt from the purcha four millions three hundred thousand which are for lands within the state gress the revival and continuance for a modations to the public debtors of that tion, in the same spirit of equity, the tions, of the forfeitures of partial pay public lands, so far as to allow of the

There are various other subjects of

of a more effective and uniform system for the government of the militia; and the amelioration, in some form or modification, of the diversified and often oppressive codes relating to insolvency. Amid the multiplicity of topics of great national concernment which may recommend themselves to the calm and patriotic deliberations of the legislature, it may suffice to say, that, on these and on all other measures which may receive their sanction, my hearty co-operation will be given, conformably to the duties enjoined upon me, and under the sense of all the obligations prescribed by the constitution.

## FOURTH ANNUAL MESSAGE.

DECEMBER 2, 1828.

To the Senate and House of Representatives of the United States :-

Ir the enjoyment in profusion of the bounties of Providence forms a suitable subject of mutual gratulation and grateful acknowledgment, we are admonished at this return of the season, when the representatives of the nation are assembled to deliberate upon their concerns, to offer up the tribute of fervent and grateful hearts for the never-failing mercies of Him who ruleth over all. He has again favored us with healthful seasons and abundant harvests. He has sustained us at peace with foreign countries, and in tranquillity within our borders. He has preserved us in the quiet and undisturbed possession of civil and religious liberty. He has crowned the year with his goodness, imposing on us no other conditions than of improving, for our own happiness, the blessings bestowed by his hands; and in the fruition of all his favors, of devoting the faculties with which we have been endowed by him, to his glory and to our own temporal and eternal welfare.

In the relations of our federal Union with our brethren of the human race, the changes which have occurred since the close of your last session have generally tended to the preservation of peace, and to the cultivation of harmony. Before your last separation, a war had unhappily been kindled between the empire of Russia, one of those with which our intercourse has been no other than a constant exchange of good offices, and that of the Ottoman Porte, a nation from which geographical distance, religious opinions, and maxims of government, on their part, little suited to the formation of those bonds of mutual benevolence which result from the benefits of commerce, had kept us in a state, perhaps too much prolonged, of coldness and alienation. The extensive, fertile, and populous dominions of the sultan, belong rather to the Asiatic than the European division of the human family. They enter but partially into the system of Europe; nor have their wars with Russia and Austria, the European states upon which they border, for more than a century past, disturbed the pacific relations of these states with the other great powers of Europe. Neither France, nor Prussia, nor Great Britain, has ever taken part in them; nor is it to be expected that they will at this time. The declaration of war by Russia has received the approbation or acquiescence of her allies, and we may indulge the hope that its progress and termination will be signalized by the moderation and forbearance, no less than by the energy of the emperor Nicholas, and that it will afford the opportunity for such collateral agency in behalf of The last friendly expedient has I controversy with Great Britain, relative United States. By an agreemeing into effect the provisions of the the convention of the 29th of Septen Netherlands has by common consent the parties. The proposal to him to ance of this friendly office will be a States, relying upon the justice of the arbitrament of it to a prince equally this spirit, his indefatigable assiduity the control of the states of the spirit of t

flexible personal probity. Our commercial relations with Gi consideration of Congress, and the exe spirit in the policy of both governments rially changed by the act of Congress tion of the several acts imposing dutie recent date of the British parliament. rect trade, commenced by Great Britt States, has been, as was to be foreseen for an exchange of commodities indisper to a numerous class of our fellow-citize navigation of the United States, have st sion from direct access to the British dearly for the necessaries of life, which charges of double voyages, freight, in profits of our exports are somewhat im ferred from one portion of our citizens ( old and otherwise exploded system of c the shipping interests of Great Britain th distant colonies and of the United State measures have been resorted to, more tion of the United States, and which, t given to the recent acts of parliament, v

with one of the most eminent and powerful nations of the earth, the occasion has been taken in it, as in other recent treaties concluded by the United States, to extend those principles of liberal intercourse and of fair reciprocity which intertwine with the exchanges of commerce the principles of justice, and the feelings of mutual benevolence. This system, first proclaimed to the world in the first commercial treaty ever concluded by the United States, that of 6th February, 1778, with France, has been invariably the cherished policy of our Union. It is by treaties of commerce alone that it can be made ultimately to prevail as the established system of all civilized nations. With this principle our fathers extended the hand of friendship to every nation of the globe, and to this policy our country has ever since adhered—whatever of regulation in our laws has ever been adopted unfavorable to the interest of any foreign nation has been essentially defensive, and counteracting to similar regulations of theirs

operating against us.

Immediately after the close of the war of independence, commissioners were appointed by the Congress of the confederation, authorized to conclude treaties with every nation of Europe disposed to adopt them. Before the wars of the French revolution, such treaties had been consummated with the United Netherlands, Sweden, and Prussia. During these wars, treaties with Great Britain and Spain had been effected, and those with Russia and France renewed. In all these, some concessions to the liberal principles of intercourse proposed by the United States had been obtained; but as, in all the negotiations, they came occasionally in collision with previous internal regulations, or exclusive and excluding compacts of monopoly with which the other parties had been trammelled, the advances made in them toward the freedom of trade were partial and imperfect. Colonial establishments, chartered companies, and ship-building influence, pervaded and encumbered the legislation of all the great commercial states; and the United States, in offering free trade and equal privileges to all, were compelled to acquiesce in many exceptions with each of the parties to their treaties, accommodated to their existing laws and anterior engagements.

The colonial system by which this whole hemisphere was bound has fallen into ruins. Totally abolished by the revolutions converting colonies into independent nations, throughout the two American continents, excepting a portion of territory chiefly at the northern extremity of our own, and confined to the remnants of dominion retained by Great Britain over the insular archipelago, geographically the appendages of our part of the globe. With all the rest we have free-trade; even with the insular colonies of all the European nations, except Great Britain. Her government also had manifested approaches to the adoption of a free and liberal intercourse between her colonies and other nations, though, by a sudden and scarcely explained revulsion, the spirit of exclusion has been revived for operation upon

the United States alone.

The conclusion of our last treaty of peace with Great Britain was shortly afterward followed by a commercial convention, placing the direct intercourse between the two countries upon a footing of more equal reciprocity than had ever before been admitted. The same principle has since been much further extended by treaties with France, Sweden, Denmark, the Hanseatic cities, Prussia, in Europe, and with the republics of Colomband of Central America, in this hemisphere. The mutual abolition of discriminating duties and charges, upon the navigation and commercial intercepts.

more tranquillity, and of less distreand decided upon, in a spirit of det justice. I have much pleasure in of this honorable promise is now i claims has already been settled to that we have reason to hope that it train of equitable adjustment. The expected, from the character of perse the sovereign of the Danish domifortune maintained.

The general aspect of the affairs the south, has been rather of approaternal disturbances have been more mon friends would have desired. Cto be that of friendship and mutual gof boundaries with the United Mex from various successive obstacles, no

The civil war which unfortunately America has been unpropitious to the tions with them; and the dissension republics of Colombia and of Peru, he us, who would gladly contribute to the satisfaction, however, that we have with between the governments of Buenos gratifying to observe that indemnity lipuries which our fellow-citizens had so The rest are in a train of negotiation mutual satisfaction, and that it may be and navigation, upon liberal principle commerce already important to the ir

The condition and prospects of the most sanguine expectations had anticion the first of January last, exclusive vention of 13th of November. 1826

millions ninety-four thousand eight hundred and sixty-three, dollars sixty-seven cents. The expenditures of the year may probably amount to twenty-five millions six hundred and thirty-seven thousand five hundred and eleven dollars, sixty-three cents; and leaving in the treasury on the first of January next, the sum of five millions one hundred and twenty-five thousand six hundred and thirty-eight dollars, fourteen cents.

The receipts of the present year have amounted to near two millions of dollars more than was anticipated at the commencement of the last session

of Congress.

The amount of duties secured on importations from the first of January to the 30th of September, was about twenty-two millions nine hundred and ninety-seven thousand dollars, and that of the estimated accruing revenue is five millions of dollars; leaving an aggregate for the year of near twentyeight millions of dollars. This is one million more than the estimate made last December, for the accruing revenue of the present year, which, with allowances for drawbacks and contingent deficiencies, was expected to produce an actual revenue of twenty-two millions three hundred thousand dollars. Had these only been realized, the expenditures of the year would have been also proportionally reduced. For, of these twenty-four millions of dollars received, upward of nine millions have been applied to the extinction of the public debt, bearing an interest of six per cent., a year, and of course reducing the burden of interest annually payable in future, by the amount of more than half a million. The payments on account of interest during the current year exceed three millions of dollars; presenting an aggregate of more than twelve millions of dollars, applied during the year to the discharge of the public debt, the whole of which remaining due on the 1st of January next, will amount only to fifty-eight millions three hundred and sixty-two thousand one hundred and thirty-five dollars, seventyeight cents.

That the revenue of the ensuing year will not fall short of that received in the one now expiring, there are indications which can scarcely prove deceptive. In our country, a uniform experience of forty years has shown that whatever the tariff of duties upon articles imported from abroad has been, the amount of importations has always borne an average value nearly approaching to that of the exports, though occasionally differing in the balance, sometimes being more, and sometimes less. It is, indeed, a general law of prosperous commerce, that the real value of exports should, by a small, and only a small balance, exceed that of imports, that balance being a permanent addition to the wealth of the nation. The extent of the prosperous commerce of the nation must be regulated by the amount of its exports; and an important addition to the value of these will draw after it a

corresponding increase of importations.

It has happened, in the vicissitudes of the seasons, that the harvests of all Europe have, to the late summer and autumn, fallen short of their usual average. A relaxation of the interdict upon the importation of grain and flour from abroad has ensued, a propitious market has been opened to the granaries of our country, and a new prospect of reward presented to the labors of the husbandman, which for several years has been denied. This accession to the profits of agriculture in the middle and western portions of our Union is accidental and temporary. It may continue only for a single year. It may be, as has been often experienced in the revolutions of time, but the first of several scanty harvests in succession. We may consider it certain that, for the approaching year, it has added an item of large amount

to the value of our exports, and that it will produce a corresponding increase of importations. It may, therefore, confidently be foreseen that the revenue of 1829 will equal, and probably exceed that of 1828, and will afford the means of extinguishing ten millions of dollars more of the principal of the public debt.

This new element of prosperity to that part of our agricultural industry which is occupied in producing the first article of human subsistence, is of the most cheering character to the feelings of patriotism. Proceeding from a cause which humanity will view with concern, the sufferings of scarcity in distant lands, it yields a consolatory reflection, that this scarcity is in no respects attributable to us. That it comes from the dispensation of Him who or lans all in wisdom and goodness, and who permits evil itself only as an instrument of good. That, far from contributing to this scarcity, our agency will be applied only to the alleviation of its severity; and that, in pouring forth from the abundance of our own garners the supplies which will partially restore plenty to those who are in need, we shall ourselves reduce our stores, and add to the price of our own bread, so as in some degree to participate in the wants which it will be the good fortune of our country to relieve.

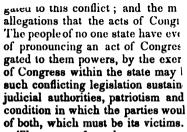
The great interests of an agricultural, commercial, and manufacturing nation are so linked in union together, that no permanent cause of prosperity to one of them can operate without extending its influence to the others. All these interests are alike under the protecting power of the legislative authority, and the daties of the representative bodies are to conciliate them in harmony together. So far as the object of taxation is to raise a revenue for discharging the debts, and defraying the expenses of the community, it should, as much as possible, suit the burden with equal hand upon all, in proportion with their ability of bearing it without oppression. But the legislation of one nation is sometimes intentionally made to bear heavily

dismantle their ships, the trade of the north stagnate at the wharves, and the manufacturers starve at their looms, while the whole people shall pay tribute to foreign industry, to be clad in a foreign garb; that the Congress of the Union are impotent to restore the balance in favor of native industry. destroyed by the statutes of another realm? More just and more generous sentiments will. I trust, prevail. If the tariff adopted at the last session of Congress shall be found by experience to bear oppressively upon the interests of any one section of the Union, it ought to be, and I can not doubt will be, so modified as to alleviate its burden. To the voice of just complaint from any portion of their constituents, the representatives of the states and people will never turn away their ears. But so long as the duty of the foreign shall operate only as a bounty upon the domestic article—while the planter, and the merchant, and the shepherd, and the husbandman, shall be ound thriving in their occupations under the duties imposed for the protecion of domestic manufactures, they will not repine at the prosperity shared with themselves by their fellow-citizens of other professions, nor denounce as violations of the constitution, the deliberate acts of Congress to shield from the wrongs of foreign laws the native industry of the Union. While the tariff of the last session of Congress was a subject of legislative deliberation, it was foretold by some of its opposers that one of its necessary consequences would be to impair the revenue. It is yet too soon to pronounce with confidence that this prediction was erroneous. The obstruction of one avenue of trade not unfrequently opens an issue to another. The consequence of the tariff will be to increase the exportation, and to diminish the importation of some specific articles. But, by the general law of trade, the increase of exportation of one article will be followed by an increased importation of others, the duties upon which will supply the deficiencies which the diminished importation would otherwise occasion. The effect of taxation upon revenue can seldom be foreseen with certainty. It must abide the test of experience. As yet no symptoms of diminution are perceptible in the receipts of the treasury. As yet, little addition of cost has even been experienced upon the article burdened with heavier duties by the last The domestic manufacturer supplies the same or a kindred article at a diminished price, and the consumer pays the same tribute to the labor of his own countryman which he must otherwise have paid to foreign industry and toil.

The tariff of the last session was, in its details, not acceptable to the great interests of any portion of the Union, not even to the interests which it was specially intended to subserve. Its object was to balance the burdens upon native industry imposed by the operation of foreign laws; but not to aggravate the burdens of one section of the Union by the relief afforded to another. To the great principle sanctioned by that act, one of those upon which the constitution itself was formed, I hope and trust the authorities of the Union will adhere. But if any of the duties imposed by the act only relieve the manufacturer by aggravating the burden of the planter, let a careful revisal of its provisions, enlightened by the practical experience of its effects, be directed to retain those which impart protection to native industry, and remove or supply the place of those which only alleviate one great national interest by the depression of another.

The United States of America, and the people of every state of which they, are composed, are each of them sovereign powers. The legislative authority of the whole is exercised by Congress under authority granted them in the common constitution. The legislative power of each state is exercised.

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The reports from the secretary o offices of the resort of that departm administration of affairs connected current year. The present state of force of which it is composed, will general. Several alterations in the expedient in the course of the year, not entirely free from exception, has

The attention of Congress is partic of the secretary of war which concer with the Indian tribes. At the esta under the present constitution of the led of considering them as foreign a proprietors of land. They were, mo it was our policy and our duty to use tianity, and in bringing within the pa

As independent powers, we negot prietors, we purchased of them all them to sell; as brethren of the huma ored to bring them to the knowledg mate design was to incorporate in our which could be converted to the sta European states, before our revolution dren to be governed; as tenants at discongist require the humanity and humanity are humanity.

fortune of teaching them the arts of civilization, and the doctrines of Christianity, we have unexpectedly found them forming in the midst of ourselves communities claiming to be independent of ours, and rivals of sovereignty within the territories of the members of our Union. This state of things requires that a remedy should be provided, a remedy which, while it shall do justice to those unfortunate children of nature, may secure to the members of our confederation their rights of sovereignty and of soil. As the outline of a project to that effect, the views presented in the report of the secretary of war are recommended to the consideration of Congress.

The report from the engineer department presents a comprehensive view of the progress which has been made in the great systems promotive of the public interests, commenced and organized under the authority of Congress, and the effects of which have already contributed to the security, as they will hereafter largely contribute to the honor and dignity of the

nation.

The first of these great systems is that of fortifications, commenced immediately after the close of our last war, under the salutary experience which the events of that war had impressed upon our countrymen of its necessity. Introduced under the auspices of my immediate predecessor, it has been continued with the persevering and liberal encouragement of the legislature; and combined with corresponding exertions for the gradual increase and improvement of the navy, prepares for our extensive country a condition of defence adapted to any critical emergency which the varying course of events may bring forth. Our advances in these concerted systems have for the last ten years been steady and progressive; and in a few years more will be so completed as to leave no cause for apprehension that our seacoast will ever again offer a theatre of hostile invasion.

The next of those cardinal measures of policy is the preliminary to great and lasting works of public improvement, in the surveys of roads, examinations for the course of canals, and labors for the removal of the obstructions of rivers and harbors, first commenced by the act of Congress of 30th

April, 1824.

The report exhibits in one table the funds appropriated at the last and preceding sessions of Congress, for all these fortifications, surveys, and works of public improvement; the manner in which these funds have been applied, the amount expended upon the several works under construction, and the further sums which may be necessary to complete them. In a second, the works projected by the board of engineers, which have not been commenced, and the estimate of their cost.

In a third, the report of the annual board of visiters at the military academy at West Point. For thirteen fortifications erecting on various points of our Atlantic coast, from Rhode Island to Louisiana, the aggregate expendi-

ture of the year has fallen little short of one million of dollars.

For the preparation of five additional reports of reconnaissances and surveys since the last session of Congress, for the civil constructions upon thirty-seven different public works commenced, eight others for which specific appropriations have been made by acts of Congress, and twenty other incipient surveys under the authority given by the act of the 30th April, 1824, about one million more of dollars have been drawn from the treasury.

To these two millions are to be added: the appropriation of two hundred and fifty thousand to commence the erection of a breakwater near the mouth of the Delaware river; the subscriptions to the Delaware and Chesa-

peake, the Louisville and Portland, the Dismal Swamp, and the Chesapeake and Ohio canals; the large donations of lands to the states of Ohio, Indiana, Illinois, and Alabama, for objects of improvements within those states, and the sums appropriated for lighthouses, buoys, and piers, on the coast; and a full view will be taken of the munificence of the nation in the application of its resources to the improvement of its own condition.

Of these great national undertakings, the academy at West Point is among the most important in itself, and the most comprehensive in its consequences. In that institution, a part of the revenue of the nation is applied to defray the expense of educating a competent portion of her youth, chiefly to the knowledge and the duties of military life. It is the living armory of the nation. While the other works of improvement enumerated in the reports now presented to the attention of Congress are destined to ameliorate the face of nature; to multiply the facilities of communication between the different parts of the Union; to assist the labors, increase the comforts, and enhance the enjoyments of individuals—the instruction acquired at West Point enlarges the dominion and expands the capacities of the mind. Its beneficial results are already experienced in the composition of the army, and their influence is felt in the intellectual progress of society. The institution is susceptible still of great improvement from benefactions proposed by several successive boards of visiters, to whose earnest and repeated recommendations I cheerfully add my own.

With the usual annual reports of the secretary of the navy, and the board of commissioners, will be exhibited to the view of Congress the execution of the laws relating to that department of the public service. The repression of piracy in the West Indian and Grecian seas has been effectually maintained, with scarcely any exception. During the war between the governments of Buenos Ayres and Brazil, frequent collisions between belligerent acts of power and the rights of neutral commerce occurred. Li-

With the report of the secretary of the navy will be submitted, in conformity to the act of Congress of 3d March, 1827, for the gradual improvement of the navy of the United States, statements of the expenditures under that act, and of the measures taken for carrying the same into effect. Every section of that statute contains a distinct provision, looking to the great object of the whole, the gradual improvement of the navy. Under its salutary sanction, stores of ship-timber have been procured, and are in process of seasoning and preservation for the future uses of the navy. Arrangements have been made for the preservation of the live oak timber growing on the lands of the United States, and for its reproduction, to supply at future and distant days, the waste of that most valuable material for ship-building, by the great consumption of it yearly for the commercial, as well as for the military marine of our country. The construction of the two dry docks at Charleston and at Norfolk, is making satisfactory progress toward a durable establishment. The examinations and inquiries to ascertain the practicability and expediency of a marine railway at Pensacola, though not yet accomplished, have been postponed, but to be more effectually made. The navy-yards of the United States have been examined, and plans for their improvement, and the preservation of the public property therein, at Portsmouth. Charleston, Philadelphia, Washington, and Gosport, and to which two others are to be added, have been prepared, and received my sanction; and no other portion of my public duties has been performed with a more intimate conviction of its importance to the future welfare and security of the Union.

With the report from the postmaster-general is exhibited a comparative view of the gradual increase of that establishment, from five to five years, since 1792, till this time, in the number of postoffices, which has grown from less than two hundred to nearly eight thousand; in the revenue yielded by them, which, from sixty-seven thousand dollars, has swollen to upward of one million five hundred thousand dollars, and in the number of miles of postroads, which, from five thousand six hundred and forty-two, have multiplied to one hundred and fourteen thousand five hundred and thirty-six. While, in the same period of time, the population of the Union has about thrice doubled, the rate of increase of these offices is nearly forty, and of the revenue and of travelled miles, from twenty to twenty-five for one. The increase of revenue within the last five years has been nearly equal to the whole revenue of the department in 1812.

The expenditures of the department during the year which ended on the first of July last, have exceeded the receipts by a sum of about twenty-five thousand dollars. The excess has been occasioned by the increase of mail conveyances and facilities to the extent of near eight hundred thousand miles. It has been supplied by collections from the postmasters of the arrearages of the preceding years. While the correct principle seems to be, that the income levied by the department should defray all its expenses, it has never been the policy of this government to raise from this establishment any revenue to be applied to any other purposes. The suggestion of the postmaster-general, that the insurance of the safe transmission of moneys by the mail might be assumed by the department, for a moderate and competent remuneration, will deserve the consideration of Congress.

A report from the commissioner of the public buildings in this city exhibits the expenditures upon them in the course of the current year. It will be seen that the humane and benevolent intentions of Congress in providing, by the act of the 20th of May, 1826, for the erection of a peni-



eighteen cents; leaving a balance of seve seven dollars and eighty-two cents, wh all the claimants to whom awards had I

The exhibits appended to the report fi ral land office, present the actual couditi Union. The amount paid into the trea during the year 1827, and the first half millions of dollars. millions of dollars. The propriety of fi extinguishment of the debt due to the Ui the public lands, limited by the act of 21 next, will claim the consideration of Congr ful attention, the regulation, disposal, and inheritance, has by the people of the Unit

Among the important subjects to which gress had already been invited, and which deliberate discussion, will be the provision census, or enumeration of the inhabitants ( stitution of the United States requires that t within every term of ten years, and the dat tion commenced was the first Monday of A laws under which the former enumerations session of Congress immediately preceding able inconveniences were experienced from t a period. That law, like those of the preced the census should be taken by the marshals o tories, under instructions from the secretary ( transmission to the marshals of those instruc was then allowed between the passage of the meration was to commence. turns of the marshals, was also found even the The term of a so now, when an additional

repeated at the last enumeration, but the returns in both cases were neces-

sarily very imperfect.

They must always be so, resting of course only on the communications voluntarily made by individuals interested in some of the manufacturing establishments. Yet they contained much valuable information, and may by some supplementary provision of the law be rendered more effective. The columns of age, commencing from infancy, have hitherto been confined to a few periods, all under the number of forty-five years. Important knowledge would be obtained by extending those columns, in intervals of ten years, to the utmost boundaries of human life. The labor of taking them would be a trifling addition to that already prescribed, and the result would exhibit comparative tables of longevity highly interesting to the country. I deem it my duty further to observe, that much of the imperfections in the returns of the last, and perhaps of preceding enumerations, proceeded from the inadequateness of the compensation allowed to the marshals and their assistants in taking them.

In closing this communication, it only remains for me to assure the legislature of my continued earnest wish for the adoption of measures recommended by me heretofore, and yet to be acted on by them, and of the cordial concurrence on my part in every constitutional provision which may receive

their sanction during the session, tending to the general welfare.

# SPECIAL MESSAGE.

### FEBRUARY 16, 1826.

To the Senate of the United States:-

In answer to the two resolutions of the Senate of the 15th instant, marked (executive), and which I have received, I state, respectfully, that all the communications from me to the senate, relating to the congress at Panama, have been made, like all other communications upon executive business, in confidence, and most of them in compliance with a resolution of the senate requesting them confidentially. Believing that the established usage of free confidential communications between the executive and the senate ought, for the public interest, to be preserved unimpaired, I deem it my indispensable duty to leave to the senate itself the decision of a question involving a departure, hitherto, so far as I am informed, without example, from that usage, and upon the motives for which, not being informed of them, I do not feel myself competent to decide.

# SPECIAL MESSAGE

MARCH 15, 1826.

To the House of Representatives of the United States :-

In compliance with the resolution of the house of the 5th ultimo, requesting me to cause to be laid before the house so much of the correspondence between the government of the United States and the new states of America, or their ministers, respecting the proposed congress or meeting of diplomatic agents at Panama, and such information respecting the general character of that expected congress as may be in my possession, and as may, in my opinion, be communicated without prejudice to the public interest; and also to inform the house, so far as in my opinion the public interest may allow, in regard to what objects the agents of the United States are expected to take part in the deliberations of that congress; I now transmit to the house a report from the secretary of state, with the correspondence and information requested by the resolution.

With regard to the objects in which the agents of the United States are expected to take part in the deliberations of that congress, I deem it proper to premise, that these objects did not form the only, nor even the principal, motive for my acceptance of the invitation. My first and greatest inducement was, to meet, in the spirit of kindness and friendship, an overture made in that spirit by three sister republics of this hemisphere.

The great revolution in human affairs which has brought into existence, nearly at the same time, eight sovereign and independent states, has placed the United States in a situation not less novel, and scarcely less interesting, than that in which they had found themselves by their own transition from a cluster of colonies to a nation of sovereign states. The deliverance

and Mexico; and the system of social intercourse, which it was the purpose of those missions to establish from the first opening of our diplomatic relations with those rising nations, is the most effective exposition of the principles upon which the invitation to the congress at Panama has been accepted by me, as well as of the objects of negotiation at that meeting, in which it was expected that our plenipotentiaries should take part.

The house will perceive that, even at the date of these instructions, the first treaties between some of the southern republics had been concluded. by which they had stipulated among themselves this diplomatic assembly at Panama. And it will be seen with what caution, so far as it might concern the policy of the United States, and at the same time with what frankness and good will toward those nations, he gave countenance to their design of inviting the United States to this high assembly for consultation upon American interests. It was not considered a conclusive reason for declining this invitation, that the proposal for assembling such a congress had not first been made by ourselves. It had sprung from the urgent, immediate, and momentous common interests of the great communities struggling for independence and, as it were, quickening into life. From them the proposition to us appeared respectful and friendly; from us to them it could scarcely have been made, without exposing ourselves to suspicions of purposes of ambition, if not of domination, more suited to rouse resistance and excite distrust, than to conciliate favor and friendship. and paramount principle upon which it was deemed wise and just to lay the corner-stone of all our future relations with them was disinterestedness; the next was cordial good will to them; the third was a claim of fair and equal reciprocity. Under these impressions, when the invitation was formally and earnestly given, had it even been doubtful, whether any of the objects proposed for consideration and discussion at the congress were such as that immediate and important interests of the United States would be affected by the issue, I should, nevertheless, have determined, so far as it depended on me, to have accepted the invitation, and to have appointed ministers to attend the meeting. The proposal itself implied that the republic by whom it was made believed that important interests of ours, or of theirs, rendered our attendance there desirable. They had given us notice that, in the novelty of their situation, and in the spirit of deference to our experience, they would be pleased to have the benefit of our friendly counsel. To meet the temper with which this proposal was made with a cold repulse, was not thought congenial to that warm interest in their welfare with which the people and government of the Union had hitherto gone hand in hand through the whole progress of the revolution. To insult them by a refusal of their overture, and then invite them to a similar assembly, to be called by ourselves, was an expedient which never presented itself to the mind. I would have sent ministers to the meeting, had it been merely to give them such advice as they might have desired, even with reference to their own interests, not involving ours. I would have sent them, had it been merely to explain and set forth to them our reasons for declining any proposal of specific measures to which they might desire our concurrence, but which we might deem incompatible with our interests or our duties. In the intercourse between nations, temper is a missionary perhaps more powerful than talent. Nothing was ever lost by kind treatment. Nothing can be gained by sullen repulses and aspiring pretensions.

But objects of the highest importance, not only to the future welfare of

incrations of this congress.

Among the topics enumerated in lic of Colombia, and adverted to nicated to the house, as intended to there is scarcely one in which the re the interests of the United States. states alone will take an active part state of our relations with the Ame European states. Were it merely ly informed of the proceedings of t issue of their negotiations, I should an accredited agency with them, pla the other members as would insure t transmission of its reports. Of the sa ation of a manifesto, setting forth to and the relations they desire to hold form a convention of navigation and federated states and to their allies.

It will be within the recollection of the close of the war of our independent this congress of Panama was adopted tion, and for purposes of precisely the sioners, with plenipotentiary powers, of amity, navigation, and commerce, rope. They met and resided for abound the only result of their negotiation between the United States and Prussinals of the world, and precious as a tion to commerce and maritime warf upon her career as a member of the games This treaty, prepared in conformity we plenipotentiaries, consecrated three for

At that time, in the infancy of their political existence, under the influence of those principles of liberty and of right, so congenial to the cause in which they have just fought and triumphed, they were able but to obtain the sanction of one great and philosophical, though absolute sovereign, in Europe, to their liberal and enlightened principles. They could obtain no more. Since that, a political hurricane has gone over three fourths of the civilized portions of the earth, the desolation of which, it may with confidence be expected, is passing away, leaving at least the American atmosphere purified and refreshed. And now, at this propitious moment, the newborn nations of this hemisphere, assembling by their representatives at the isthmus between its two continents, to settle the principles of their future international intercourse with other nations and with us, ask, in this great exigency, for our advice upon those very fundamental maxims which we, from our cradle, at first proclaimed, and partially succeeded to introduce into the code of national law.

Without recurring to that total prostration of all neutral and commercial rights which marked the progress of the late European wars, and which finally involved the United States in them, and adverting only to our political relations with these American nations, it is observable that, while, in all other respects, those relations have been uniformly, and without exception, of the most friendly and mutually satisfactory character, the only causes of difference and dissension between us and them which ever have arisen. originated in those never-failing fountains of discord and irritation-discriminations of commercial favor to other nations, licentious privateers, and paper blockades. I can not, without doing injustice to the republics of Buenos Ayres and Colombia, forbear to acknowledge the candid and conciliatory spirit with which they have repeatedly yielded to our friendly representations and remonstrances on these subjects—in repealing discriminative laws which operated to our disadvantage, and in revoking the commissions of their privateers; to which Colombia has added the magnanimity of making reparation for unlawful captures by some of her cruisers, and of assenting, in the midst of war, to treaty stipulations favorable to neutral navigation. But the recurrence of these occasions of complaint has rendered the renewal of the discussions which result in the removal of them necessary, while, in the meantime, injuries are sustained by merchants and other individuals of the United States, which can not be repaired, and the remedy lingers in overtaking the pernicious operation of the mischief. The settlement of general principles, pervading with equal efficacy all the American states, can alone put an end to these evils, and can alone be accomplished at the proposed assembly.

If it be true that the noblest treaty of peace ever mentioned in history, is that by which the Carthagenians were bound to abolish the practice of sacrificing their own children, because it was stipulated in favor of human nature, I can not exaggerate to myself the unfading glory with which these United States will go forth in the memory of future ages, if, by their friendly counsel, by their moral influence, by the power of argument and persuasion alone, they can prevail upon the American nations, at Panama, to stipulate, by general agreement among themselves, and so far as any of them may be concerned, the perpetual abolition of private war upon the ocean. And, if we can not yet flatter ourselves that this may be accomplished, as advances toward it, the establishment of the principle that the friendly flag shall cover the cargo, the curtailment of contraband of war, and the proscription of fictitious paper blockades—engagements which we

simple and conclusive. With the exception colonies, which it was in nowise intended to consisted of several sovereign and independence covered their whole surface. By this their United States enjoyed the right of commer part of their possessions. To attempt the in those possessions, would be to usurp, to the mercial intercourse, which was the common not be done without encreaching upon existing. The government of Russia has never disputed fested the slightest dissatisfaction at their has the new American republics have declared the and they now propose, among the subjects of take into consideration the means of making el principle, as well as the means of resisting intended the domestic concerns of the American governs.

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In alluding to these means, it would obvictime to anticipate that which is offered merely or to pronounce upon those measures which gested. The purpose of this government is would import hostility to Europe, or justly exell states. Should it be deemed advisable to con gagement on this topic, our views would extend tual pledge of the parties to the compact, to mai plication to its own territory, and to permit no elishment of European jurisdiction upon its own the obtrusive interference from abroad, if its further form that which has been, and, perhaps, than one of the new states, a joint declaration as sure of it to the world, may be probably all the quire. Whether the United States should or she a declaration, may justly form a part of the delib

with that republic, undertaken during the late administration, for the suppression of that trade, in compliance with a resolution of the house of representatives, indicates the expediency of listening, with respectful attention, to propositions which may contribute to the accomplishment of the great end which was the purpose of that resolution, while the result of those negotiations will serve as admonitions to obtain from pledging this government to any arrangement which might be expected to fail of obtaining the advice and consent of the senate, by a constitutional majority to its ratification.

Whether the political condition of the island of Hayti shall be brought at all into discussion at the meeting, may be a question for preliminary advisement. There are in the political constitution of government of that people, circumstances which have hitherto forbidden the acknowledgment of them by the government of the United States, as sovereign and independent. Additional reasons for withholding that acknowledgment have recently been seen in their acceptance of a nominal sovereignty by the grant of a foreign prince, under conditions equivalent to the concession by them of exclusive commercial advantages to one nation, adapted altogether to the state of colonial vassalage, and retaining little of independence but the name. Our plenipotentiaries will be instructed to present these views to the assembly at Panama; and, should they not be concurred in, to decline acceding to any arrangement which may be proposed upon different principles.

The condition of the islands of Cuba and Porto Rico is of deeper import, and more immediate bearing upon the present interests and future prospects of our Union. The correspondence herewith transmitted, will show how earnestly it has engaged the attention of this government. The invasion of both those islands by the united forces of Mexico and Colombia, is avowedly among the objects to be matured by the belligerent states at Panama. The convulsions to which, from the peculiar composition of their population, they would be liable, in the event of such an invasion, and the danger therefrom resulting of their falling ultimately into the hands of some European power, other than Spain, will not admit of our looking at the consequences to which the congress at Panama may lead, with indifference. It is unnecessary to enlarge upon this topic, or to say more than that all our efforts in reference to this interest will be to preserve the existing state of things, the tranquillity of the islands, and the peace and security of their inhabitants.

And lastly, the congress of Panama is believed to present a fair occasion for urging upon all the new nations of the south, the just and liberal principles of religious liberty. Not by any interference whatever in their internal concerns, but by claiming for our citizens whose occupations or interests may call them to occasional residence in their territories, the inestimable privilege of worshipping their Creator according to the dictates of their own consciences. This privilege, sanctioned by the customary law of nations, and secured by treaty stipulations in numerous national compacts, secured even to our own citizens in the treaties with Colombia, and with the federation of Central America, is yet to be obtained in the other South American states and Mexico. Existing prejudices are still struggling against it, which may, perhaps, be more successfully combated at this general meeting, than at the separate seats of government of each republic.

I can scarcely deem it otherwise than superfluous to observe, that the

assembly will be in its nature diplomatic, and not legislative; that nothing can be transacted there obligatory upon any one of the states to be represented at the meeting, unless with the express concurrence of its own representatives; nor even then, but subject to the ratification of its constitutional authority at home. The faith of the United States to foreign powers can not otherwise be pledged. I shall, indeed, in the first instance, consider the assembly as merely consultative; and, although the plenipotentiaries of the United States will be empowered to receive and refer to the consideration of their government, any proposition from the other parties to the meeting, they will be authorized to conclude nothing unless subject to the definitive sanction of this government, in all its constitutional forms. It has, therefore, seemed to me unnecessary to insist, that every object to be discussed at the meeting should be specified with the precision of a judicial sentence, or enumerated with the exactness of a mathematical demonstration. The purpose of the meeting itself is to deliberate upon the great and common interests of several new and neighboring nations. If the measure is new and without precedent, so is the situation of the parties to it. That the purposes of the meeting are somewhat indefinite, far from being an objection to it, is among the cogent reasons for its adoption. It is not the establishment of principles of intercourse with one, but with seven or eight nations at once. That, before they have had the means of exchanging ideas, and communicating with one another in common upon these topics, they should have definitively settled and arranged them in concert, is to require that the effect should precede the cause. It is to exact, as a preliminary to the meeting, that for the accomplishment of which the meeting itself is designed.

Among the inquiries which were thought entitled to consideration before the determination was taken to accept the invitation, was that, whether the measure might not have a tendency to change the policy hitherto invariably pursued by the United States, of avoiding all entangling tant and detached situation, with reference to Europe, remains the same. But we were then the only independent nation of this hemisphere; and we were surrounded by European colonies, with the greater part of which we had no more intercourse than with the inhabitants of another planet. Those colonies have now been transformed into eight independent nations, extending to our very borders. Seven of them republics like ourselves; with whom we have an immensely-growing commercial, and must have, and have already, important political connexions; with reference to whom our situation is neither distant nor detached; whose political principles and systems of government, congenial with our own, must and will have an action and counteraction upon us and ours, to which we can not be indifferent if we would.

The rapidity of our growth, and the consequent increase of our strength, have more than realized the anticipations of this admirable political legacy. Thirty years have nearly elapsed since it was written, and in the interval, our population, our wealth, our territorial extension, our power, physical and moral, have nearly trebled. Reasoning upon this state of things from the sound and judicious principles of Washington, and must we not say, that the period which he predicted, as then not far off, has arrived; that America has a set of primary interests, which have none or a remote relation to Europe; that the interference of Europe, therefore, in those concerns, should be spontaneously withheld by her upon the same principles, that we have never interfered with hers; and that if she should interfere, as she may, by measures which may have a great and dangerous recoil upon ourselves, we might be called in defence of our own alters and firesides, to take an attitude which would cause our neutrality to be respected, and choose peace or war, as our interest, guided by justice, shall counsel.

The acceptance of this invitation, therefore, far from conflicting with the counsel or the policy of Washington, is directly deducible from and conformable to it. Nor is it less conformable to the views of my immediate predecessor, as declared in his annual message to Congress of the 2d of December, 1823, to which I have already adverted, and to an important

passage of which I invite the attention of the house.

"The citizens of the United States," said he, "cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that [the European] side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make prepa-With the movements in this hemisphere, we are ration for our defence. of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the desence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations subsisting between the United States and those powers, to declare, that we should consider attempt, on their part, to extend their system to any portion of this sphere as dangerous to our peace and safety. With the existing ca

or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition, for the purposes of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition; and to this we have adhered, and shall continue to adhere, provided no change shall occur, which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indis-

pensable to their securities."

To the question which may be asked, whether this meeting, and the principles which may be adjusted and settled by it, as rules of intercourse between American nations, may not give umbrage to the holy league of European powers, or offence to Spain, it is deemed a sufficient answer. that our attendance at Panama can give no just cause of umbrage or offence to either; and that the United States will stipulate nothing there which can give such cause. Here the right of inquiry into our purposes and measures must stop. The holy league of Europe itself was formed, without inquiring of the United States whether it would, or would not, give umbrage to them. The fear of giving umbrage to the holy league of Europe was urged as a motive for denying to the American nations the acknowledgment of their independence. That it would be viewed by Spain as hostility to her, was not only urged, but directly declared by herself. 'The Congress and administration of that day consulted their rights and duties, and not their fears. Fully determined to give no needless displeasure to any foreign power, the United States can estimate the probability of their giving it, only by the right which any foreign state could tion of the condition of man. It is congenial with that spirit which prompted the declaration of our independence; which inspired the preamble of our first treaty with France; which dictated our first treaty with Prussia, and the instructions under which it was negotiated; which filled the hearts and fired the souls of the immortal founders of our revolution.

With this unrestricted exposition of the motives by which I have been governed in this transaction, as well as of the objects to be discussed, and of the ends, if possible, to be attained by our representation at the proposed congress, I submit the propriety of an appropriation to the candid consideration and enlightened patriotism of the legislature.

### SPECIAL MESSAGE.

March 30, 1826.

To the Senate and House of Representatives of the United States :-

By the second article of the general convention of peace, amity, navigation, and commerce, between the United States and the republic of Colombia, concluded at Bogota on the 3d of October, 1824, it was stipulated that the parties engage mutually not to grant any particular favor to other nations, in respect to commerce and navigation, which should not immediately become common to the other party, who should enjoy the same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional. And in the third article of the same convention, it was agreed that the citizens of the United States might frequent all the coasts and countries of the republic of Colombia, and reside and trade there in all sorts of produce, manufactures, and merchandise, and should pay no other or greater duties, charges, or fees whatsoever, than the most favored nations should be obliged to pay; and should enjoy all the rights, privileges, and exemptions, in navigation and commerce, which the most favored nations should enjoy, submitting themselves, nevertheless, to the laws, decrees, and usages, there established, and to which were submitted the subjects and citizens of the most favored nations; with a reciprocal stipulation in favor of the citizens of the republic of Colombia in the United States. Subsequently to the conclusion of this convention, a treaty was negotiated between the republic of Colombia and Great Britain, by which it was stipulated that no other or higher duties, on account of tonnage, light, or harbor duties, should be imposed in ports of Colombia on British vessels, than those payable in the same ports by Colombian vessels; and the same duties should be paid on the importation into the territories of Colombia, of any article the growth, produce, or manufacture, of his majesty's dominions, whether such importation should be in Colombian or British vessels, and that the same duties should be paid, and the same discount (drawbacks) and bounties allowed, on the exportation of any article the growth, produce, or manufacture of Colombia to his Britannic majesty's dominions, whether such exportations were in Colombian or British vessels.

The minister of the United States to the republic of Colombia having claimed, by virtue of the second and third articles of the convention between the two republics, that the benefit of these subsequent stipulations should be alike extended to the citizens of the United States upon the

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condition of reciprocity provided for by the convention, the application of those engagements was readily acceded to by the Colombian government, and a decree was issued by the executive authority of that republic on the 30th of January last, a copy and translation of which are herewith communicated, securing to the citizens of the United States in the republic of Colombia the same advantages in regard to commerce and navigation which had been conceded to British subjects in the Colombian treaty with Great Britain.

It remains to the government of the United States to secure to the citizens of the republic of Colombia the reciprocal advantages to which they are entitled by the terms of the convention, to commence from the 30th of January last, for the accomplishment of which I invite the favorable

consideration of the legislature.

## SPECIAL MESSAGE.

FEBRUARY 5, 1827.

To the Senate and House of Representatives of the United States :-

I SUBMIT to the consideration of Congress a letter from the agent of the United States with the Creek Indians, who invoke the protection of the government of the United States in defence of the rights and territory secured to that nation by the treaty concluded at Washington, and ratified, on the part of the United States, on the twenty-second of April last.

The complaint set forth in this letter, that surveyors from Georgia have been employed in surveying lands within the Indian territory, as secured by that treaty, is authenticated by information inofficially received from other quarters, and there is reason to believe that one or more of the surof any of the provisions or regulations of the act, shall be found within any of the United States, or either of their territorial districts, such offender may be there apprehended, and brought to trial in the same manner as if such crime or offence had been committed within such state or district; and that it shall be the duty of the military force of the United States, when called upon by the civil magistrates, or any proper officer, or other person duly authorized for the purpose, and having a lawful warrant, to aid and assist such magistrates, officers, or other persons so authorized, in arresting such offender, and committing him to safe custody for trial, according to law.

The first of these processes is adapted to the arrest of the trespasser upon Indian territories, on the spot, and in the act of committing the offence. But, as it applies the action of the government of the United States to places where the civil process of the law has no authorized course, it is committed entirely to the functions of the military force to arrest the person of the offender; and, after bringing him within the reach of the jurisdiction of the courts, there to deliver him into custody for trial. The second makes the violator of the law amenable only after his offence has been consummated, and when he has returned within the civil jurisdiction of the Union. This process, in the first instance, is merely of a civil character, but may, in like manner, be enforced by calling in, if necessary, the

aid of the military force. Entertaining no doubt that, in the present case, the resort to either of these modes of process, or to both, was within the discretion of the executive authority, and penetrated with the duty of maintaining the rights of the Indians, as secured both by the treaty and the law, I concluded, after full deliberation, to have recourse on this occasion, in the first instance, only to the civil process. Instructions have accordingly been given by the secretary of war, to the attorney and marshal of the United States in the district of Georgia, to commence prosecutions against the surveyors complained of as having violated the law, while orders have at the same time been forwarded to the agent of the United States, at once to assure the Indians, that their rights, founded upon the treaty and the law, are recognised by this government, and will be faithfully protected; and earnestly to exhort them, by the forbearance of every act of hostility on their part, to preserve unimpaired that right to protection, secured to them by the sacred pledge of the good faith of this nation. Copies of these instructions and orders are herewith transmitted to Congress.

In abstaining, at this stage of the proceedings, from the application of any military force, I have been governed by considerations which will, I trust, meet the concurrence of the legislature. Among them, one of paramount importance has been, that these surveys have been attempted, and partly effected, under color of legal authority from the state of Georgia. That the surveyors are, therefore, not to be viewed in the light of individual and solitary transgressors, but as the agents of a sovereign state, acting in obedience to authority which they believed to be binding upon them. Intimations had been given, that, should they meet with interruption, they would, at all hazards, be sustained by the military force of the state; in which event, if the military force of the Union should have been employed to enforce its violated law, a conflict must have ensued, which would, in itself, have inflicted a wound upon the Union, and have presented the aspect of one of these confederated states as war with the rest. Anxious, above all, to avert this state of things, yet at the same time impressed with



have been, between their general and stat already too often presented collisions bet with regard to the extent of their respecti ever, has hitherto occurred, in which this conflict of actual force. No other case i which the application of military force by has been prescribed for the enforcement of a within any single state, been prescribed by the present instance, it is my duty to say, t tive authorities of the state of Georgia shoul ment upon the territories secured by a so. the laws of the Union remain unaltered. higher than that of human authority, will c ted States to enforce the laws, and fulfil the force committed for that purpose to his cha force will be resorted to only in the event ( dients provided by the laws, a pledge has to employ it at this time. It is submitted t determine whether any further act of legisl pedient, to meet the emergency which thes

#### PROCLAMAT

MARCH 17, 182

WHEREAS, by the sixth section of an act of to regulate the commercial intercourse betwee tain British colonial ports," which was approint the year of our Lord one thousand eight he enacted "the about the constant of the section of

be prohibited by a British order in council, or by act of parliament, then, from the day of the date of such order in council, or act of parliament, or from the time that the same shall commence to be in force, proclamation to that effect having been made by the president of the United States, each and every provision of this act, so far as the same shall apply to the intercourse between the United States and the above-enumerated British colonial ports, in British vessels, shall cease to operate in their favor; and each and every provision of the 'Act concerning navigation,' approved on the eighteenth of April, one thousand eight hundred and eighteen, and of the act supplementary thereto, approved on the fifteenth of May, one thousand eight hundred and twenty, shall revive and be in full force."

And whereas, by an act of the British parliament, which passed on the fifth day of July, in the year of our Lord one thousand eight hundred and twenty-five, entitled, "An act to repeal the several laws relating to the customs," the said act of parliament of the 24th of June, 1822, was repealed; and by another act of the British parliament, passed on the 5th day of July, in the year of our Lord one thousand eight hundred and twenty-five, in the sixth year of the reign of George the Fourth, entitled, "An act to regulate the trade of the British possessions abroad," and by an order of his Britannic majesty in council, bearing date the 27th July, 1826, the trade and intercourse authorized by the aforesaid act of parliament, of the 24th June, 1822, between the United States and the greater part of the said British colonial ports therein enumerated, have been prohibited upon and from the first day of December last past, and the contingency has thereby arisen on which the president of the United States was authorized by the sixth section aforesaid of the act of Congress of the 1st March, 1823, to issue a proclamation to the effect therein mentioned:

Now, therefore, I, John Quincy Adams, president of the United States of America, do hereby declare and proclaim that the trade and intercourse authorized by the said act of parliament of the 24th of June, 1822, between the United States and the British colonial ports enumerated in the aforesaid act of Congress of the 1st March, 1823, have been, and are, upon and from the 1st day of December, 1826, by the aforesaid two several acts of parliament, of the 5th of July, 1825, and by the aforesaid British order in council of the 27th day of July, 1826, prohibited.

Given under my hand at the city of Washington, this 17th day of March, in the year of our Lord one thousand eight hundred and twenty-seven, and the fifty-first year of the independence of the United States.

JOHN QUINCY ADAMS.

# SPECIAL MESSAGE.

MARCH 4, 1828.

To the Senate of the United States:-

In compliance with a resolution of the senate of the 3d of January last, requesting the communication of information in my possession, relative to alleged aggression on the rights of citizens of the United States, by persons claiming authority under the government of New Brunswick, I com-

municate a report from the secretary of state, with a copy of that of the special agent, mentioned in my message at the commencement of the present session of Congress as having been sent to visit the spot where the cause of complaint had occurred, to ascertain the state of the facts, and the result of whose inquiries I then promised to communicate to Congress when it should be received.

The senate are requested to receive this communication as the fulfilment of that engagement; and, in making it, I deem it proper to notice with just acknowledgment, the liberality with which the minister of his Britannic majesty residing here, and the government of the province of New Brunswick, have furnished the agent of the United States with every facility for the attainment of the information which it was the object of his mission to procure.

Considering the exercise of exclusive territorial jurisdiction upon the grounds in controversy, by the government of New Brunswick, in the arrest and imprisonment of John Baker, as incompatible with the mutual understanding existing between the governments of the United States and Great Britain on this subject, a demand has been addressed to the provincial authorities, through the minister of Great Britain, for the release of that individual from prison, and of indemnity to him for his detention. In doing this, it has not been intended to maintain the regularity of his own proceedings, or of those with whom he was associated, to which they were not authorized by any sovereign authority of this country.

The documents appended to the report of the agent, being original papers belonging to the files of the department of state, a return of them is requested, when the senate shall have no further use for them.

## SPECIAL MESSAGE.

# SPECIAL MESSAGE.

APRIL 30, 1828.

# To the Senate and House of Representatives of the United States:-

In the month of December last, one hundred and twenty-one African negroes were landed at Key West, from a Spanish slave-trading vessel stranded within the jurisdiction of the United States while pursued by an armed schooner in his Britannic majesty's service. The collector of the customs at Key West took possession of these persons, who were afterward delivered over to the marshal of the territory of East Florida, by whom they were conveyed to St. Augustine, where they still remain.

Believing that the circumstances under which they have been cast upon the compassion of the country are not embraced by the provisions of the act of Congress of the 3d of March, 1819, or of the other acts prohibiting the slave-trade, I submit to the consideration of Congress the expediency of a supplementary act, directing and authorizing such measures as may be necessary for removing them from the territory of the United States, and for fulfilling toward them the obligations of humanity.

## SPECIAL MESSAGE.

March 3, 1829.

To the Senate and House of Representatives of the United States:-

I TRANSMIT herewith, to Congress, a copy of the instructions prepared by the secretary of state, and furnished to the minister of the United States appointed to attend at the assembly of American plenipotentiaries, first held at Panama, and thence transferred to Tacubaya. The occasion for which they were given, has passed away, and there is no present probability of the renewal of those negotiations; but the purpose for which they were intended are still of the deepest interest to our country, and to the world, and may hereafter call again for the active energies of the government of the United States. The motive for withholding them from general publication having ceased, justice to the government from which they emanated, and to the people for whose benefit it was instituted, require that they should be made known. With this view. and from the consideration that the subjects embraced by those instructions must probably engage hereafter the consideration of our successors, I deem it proper to make this communication to both houses of Congress. One copy only of the instructions being prepared, I send it to the senate, requesting that it may be transmitted also to the house of representatives.





# ADMINISTRATION OF JOHN QUINCY ADAMS.

The inauguration of John Quincy Adams as president of the United States, took place on the 4th of March, 1825. At about half-past twelve o'clock on that day he was introduced into the capitol, followed by the expresident, Mr. Monroe, and his family, by the judges of the supreme court, in their robes of office, and the members of the senate, preceded by the vice-president, with a number of members of the house of representatives. Mr. Adams, in a plain suit of black, ascended the steps to the speaker's chair, and took his seat. Silence having been proclaimed, and the doors of the hall closed, the president elect rose and delivered his inaugural address to the assembled multitude, by whom it was received with great attention and interest.

After delivering this address, Mr. Adams descended from the chair, and placing himself on the righthand of the judge's table, received from Chief-Justice Marshall a volume of the laws of the United States, from which he read the oath of office, at the close of which, the house rang with the cheers and plaudits of the immense audience.

The senate being in session, the president immediately nominated the members of his cabinet, namely: Henry Clay, of Kentucky, for secretary of state; Richard Rush, of Pennsylvania, secretary of the treasury; James Barbour, of Virginia, secretary of war. These nominations were all confirmed, and unanimously, except that of Mr. Clay, to which a warm opposition was made on the part of a few senators, and the injunction of secresy being removed, the votes appeared to have been twenty-seven in favor, and fourteen against it. The remaining member of the cabinet, William Wirt, of Virginia, was continued as attorney-general. John M'Lean, of Ohio, postmaster-general (not then a member of the cabinet), who had been appointed by Mr. Monroe, was also continued in office.

After disposing of the nominations made by the executive, the senate took into consideration the treaty made with the republic of Colombia, for the suppression of the slave-trade. This treaty was made in conformity with a resolution of the house of representatives, recommending to the executive to make treaties, giving the mutual right of search of vessels in suspected parts of the world, in order more effectually to prevent the

traffic in slaves. The amendments proposed by the senate, at the last session, to the treaty with Great Britain, for the same purpose, were introduced into this treaty; but the fate of the treaty with England had probably caused a change in the minds of some of the senators, and other views had been taken of the subject by others, and the treaty with Colombia was rejected by 28 votes to 12.

The divisions which had been taken on the foregoing questions, in the senate, left little doubt that the new administration was destined to meet with a systematic and organized opposition; and previous to the next meeting of Congress, the ostensible grounds of opposition were set forth at public dinners and meetings, so as to prepare the community for a warm political contest, until the next election.

Those who placed themselves in opposition to the administration, without reference to its measures, urged as reasons for their hostility, that Mr. Adams's election was the result of a bargain between Mr. Clay and himself; and his selection of Mr. Clay as secretary of state, was relied upon as a conclusive proof of the bargain; that he was elected against the expressed will of the people; and that Congress, by not taking General Jackson, the candidate having the highest number of votes, had violated the constitution, and disobeyed their constituents. Personal objections were also urged, but as these formed no part of the justification of the opposition which was to be arrayed in anticipation of measures, it is unnecessary to give them a place. Those who were friendly to the new administration, or disposed to judge of it by its acts, replied to these objections, that Mr. Clay, as a representative, was obliged to decide between

ground, that his situation as speaker of the house, and his long and intimate acquaintance with our national affairs, made him the most prominent candidate for that station, and the strong support he received in the west for the presidency, showed that his appointment would gratify a part of the Union, which, until then, had never been complimented with a representative in the cabinet.\*

One of the most prominent topics of public interest during the year 1825, was the controversy between the national government and the executive of Georgia, Governor Troup. This controversy grew out of a compact between the general government and the state of Georgia in 1802. By that compact the United States agreed, in consideration of Georgia relinquishing her claim to the Mississippi territory, to extinguish, at the national expense, the Indian title to the lands occupied by them in Georgia, "whenever it could be peaceably done, upon reasonable terms." Since making that agreement, the general government had extinguished the Indian title to about fifteen millions of acres, and conveyed the same to the state of Georgia. There still remained 9,537,000 of acres in possession of the Indians, of which 5,292,000 of acres belonged to the Cherokees, and the remainder to the Creek nation.

Shortly before the termination of Mr. Monroe's administration, the state government became very urgent for the entire removal of the Indians from the state; and at the solicitation of the governor, the late president appointed two commissioners, selected by the governor of Georgia, to make a treaty with the Creeks for the purchase of their lands.†

But the Creek nation having began to enjoy the arts and comforts of civilization introduced among them by the government of the United States, were unwilling to leave their lands for the wilderness of the west, and passed a law forbidding the sale of any of their lands, on the pain of death. A few of the chiefs were induced to violate this law, by negotiating with the United States commissioners, after the breaking up of the general council of the nation, and by these chiefs, forming a fraction only of the acknowledged heads of the tribes, all the lands of the Creeks in Georgia and Alabama were ceded to the United States. This treaty, however, was transmitted to the United States senate, and ratified by them on the 3d of March, 1825, the last day of Mr. Monroe's administration. When the information that this treaty had been thus sanctioned, reached the Creeks, it produced great excitement, and a secret council of the nation being called, they resolved not to accept the treaty, and the death of M'Intosh, the chief of the party that assented to it, was determined on. This determination was carried into effect by a party of Indians, who surrounded his house on the 30th of April, and shot M'Intosh, and another chief who had also signed the treaty.

This course on the part of the Creeks presented a new question, and a.

\* American Annual Register. † Ibid.

controversy soon grew out of it between the general government and Governor Troup. The governor contended, that upon the ratification of the treaty, the fee simple of the lands became vested in Georgia, and subject to her authority. He therefore called the legislature of Georgia together. for the purpose of taking measures to cause a survey of the lands, and to distribute them among the white inhabitants of Georgia by lottery. These circumstances, and the remonstrances of the Creek chiefs against the treaty, induced President Adams to appoint a special agent to investigate the matter, and, at the same time, General Gaines, of the United States army, was ordered to repair to the Creek country with a competent number of troops, to restore tranquillity among the Creeks, and to prevent any disturbances between them and the frontier settlers. After an investigation by the agent into the facts, and receiving his report that bad faith and corruption had attended the treaty, and that forty-nine fiftieths of the Creeks appeared to be hostile to the treaty, the president decided not to suffer any interference with them until the meeting of Congress. Governor Troup at first threatened to take the execution of the treaty into his own hands, but the firm and decided tone of the president induced him to leave the affair to the constituted authorities.

Although the president had thus resolved to protect the Indians in their rights, he was desirous to satisfy the claims of Georgia, and a new negotiation was opened with the Creeks, which finally resulted in annulling the former treaty, and the whole Creek territory within the limits of Georgia was ceded to the United States. By the new treaty, the Creeks retained all their lands in Alahama, which had been ceded in the one

To carry this plan into effect, treaties were made with the Osages and the Kanzas Indians, extinguishing their titles to the territory west of the Mississippi, excepting to certain reservations for their own use. By these treaties, a tract was provided for those Indians who might be induced to emigrate from the states on the east side of the river. The Indians, however, were generally unwilling to remove, and at a meeting with some of the tribes of Ohio, in May, 1825, they refused to do anything to promote the views of our government. The Shawanee tribe in Missouri, however, exchanged their lands for a tract in the territory purchased from the Osages, and agreed to remove thither. Treaties of amity and protection were also made with most of the tribes in that vast tract between Missouri and Mexico, by which the Indians permitted the United States to lay out a road through their lands, for the traders between those places, who had become numerous and entitled to attention.

The system proposed by Mr. Monroe, for the preservation and civilization of the aborigines, it was found impossible to carry into operation, on account of the reluctance of the Indians to dispose of more of their territory; a modification was therefore proposed by Mr. Barbour, the secretary of war, which was submitted to the nineteenth Congress. The outlines of this new plan were, to set apart the territory west of the Mississippi, beyond the states and territories, and that east of the Mississippi, lying west of lakes Huron and Michigan, for their exclusive abode, under a territorial government, to be maintained by the United States. Secondly, to induce them to remove as individuals, and not in tribes, and to leave those who do not wish to go, in their present circumstances. Thirdly, when circumstances should justify it, to amalgamate the tribes in one mass, and distribute their property among the individual Indians. Common schools to be established in the villages; assistance to be afforded them in commencing agricultural life; to furnish them with stock, grain, and fences; and to commute the annuities now paid to them, for a fixed sum, to be divided as individual property, were also recommended as the details of this system.

The benevolent views of the government were now prosecuted without interruption, and a visible improvement was yearly manifested in the condition of the remaining tribes. The appropriations made by the nineteenth Congress, at the first session, to the Indian department, for the civilization of the aborigines, and to fulfil the treaties made with them, amounted to nearly one million of dollars. The number of Indians in the several states and territories, appeared, by a report from the secretary of war, at the beginning of the year, to be about 130,000; of which about 97,000 were east of the Mississippi, and south of Michigan. Many of these were partially civilized, as the Creek, Cherokee, Choctaw, and Chickasaw nations in the south, and some of the eastern Indians, leaving only between forty and fifty thousand Indians whose removal could be effected with propriety.

Toward the Florida Indians, who were in a state of great suffering from want of food, the government manifested its usual humanity. A bill appropriating twenty thousand dollars to furnish them with the means of subsistence, was passed by Congress, and they were relieved from their distress.

During the last session of the eighteenth Congress, appropriations were made for surveying and laying out sundry important roads in Arkansas, Missouri, and Florida, and the secretary of the treasury was authorized to aid the Chesapeake and Delaware canal, by subscribing one hundred and fifty thousand dollars to its capital stock. An appropriation, already alluded to in our sketch of Mr. Monroe's administration, was also made for making surveys in different parts of the Union. The topographical corps, which had been enlarged, was actively employed during the summer in executing these surveys. The constitutional objections to internal improvements by the general government seemed to have been overruled by the decisions of several successive Congresses, and during this year the attention of the federal government was particularly directed to the improvement of the internal communications between the states.\*

The Marquis de La Fayette having spent over a year in visiting the different parts of the United States, and been everywhere received with the utmost enthusiasm and affection by the people, took leave of his American friends in the month of September, 1825. A new frigate named the Brandywine, in honor of La Fayette, who distinguished himself in the battle at that place during the revolutionary war, was provided to transport him to France. On the invitation of President Adams, the "nation's guest"

and was elected. In the senate the administration had a decided majority, but it soon became obvious that in both houses the friends of General Jackson and Mr. Crawford, with few exceptions, were disposed to unite, and embarrass and defeat the measures proposed by the president and his cabinet, or by their friends in Congress.

Many of the most important of the suggestions in the president's message were not acted on during the session; other topics having occupied the attention of Congress, which were introduced apparently for the purpose of agitating the public mind on the subject of the recent election of president. Amendments to the constitution were proposed in the senate by Mr. Benton, of Missouri, to provide for a direct vote by the people, in districts, for president, and dispensing with the colleges of electors; and by Mr. M'Duffie, of South Carolina, in the house, providing for a choice of electors by districts, and preventing the choice of president from devolving on the house of representatives. Mr. Benton's proposition was accompanied with an able report, but no action was taken on it in the sen-A long and spirited debate took place in the house on the proposed amendments, in the course of which Mr. M'Duffie went into a history of the late election, censuring in severe terms the course of Mr. Clay and his friends, to which Mr. Trimble, of Kentucky, and others, replied in severe and pointed language, which caused a scene of great excitement. On the first resolution, which took the election from Congress, the house divided, 123 in the affirmative, and 64 in the negative. The second resolution, in favor of the district system, was rejected, by a vote of 101 to 91. The subject was then referred to a select committee of twenty-four, one from each state, which, at the close of the session, reported that they had not been able to agree upon any plan to prevent the election from devolving upon Congress, and, on request, the committee was discharged from any further consideration of the matter. The only effect of this attempt to amend the constitution was to excite the feelings of members, and to array them into parties for and against the administration, in a more decided manner, and compelled them, in some measure, to determine upon their ultimate course, before its measures had been fairly tried. About one third of the session was occupied in the discussion of the proposed amendments.

In the senate, a resolution offered by Mr. Macon, to inquire into the expediency of reducing the patronage of the executive, was referred to a committee of which Mr. Benton was chairman, who reported at length on the subject, and introduced six bills, in conformity therewith. An unusual number of copies of the report and bills was ordered to be printed for circulation among the people, and then the subject was left with other unfinished business.

The recommendation in the president's message, that the United States should take part in a congress of North and South American states, proposed to be held at Panama, was at this time the subject of great political

communications were received with proper feet which dictated them; but that the United Sta in the existing war with Spain, nor in councither prosecution; though the president belimight be highly useful in settling several impopublic law, and in arranging other matters of can continent, and strengthening the bonds American powers; that it appeared to him, such a congress met, to adjust, as preliminary to which the attention of the congress would stance and form of the power of the minister republics. In reply to this suggestion, notes stating the objects of the assembly, and formal The president determined to accept this invitat to the congress, should the senate consent to the

This determination he mentioned in his open and on the 26th of December he sent to the ser setting forth the objects of the Panama congress the invitation to send commissioners; and nominand John Sergeant as ministers on the part of the liam B. Rochester, of New York, as secretary to

This message, with the accompanying docu committee on foreign relations, by whom a rej of January, 1826, condemning the mission, and declaring it to be inexpedient to send ministers

It should be remarked, that the vice-president gave indications of a disposition to act with the

inconvenience of this state of things induced the senate, at the latter part of the session, to take from the vice-president the power of appointing the committees. It was, however, too late to remedy the evils which had been produced by the attitude that the senate had been forced to assume, with respect to the executive, as well as the popular branch of Congress.

The report of the committee on foreign relations occasioned a long debate in secret session in the senate, and the resolution reported by that committee, condemning the Panama mission, was negatived by a vote of 24 to 19, on the 14th of March. The nominations by the president were then confirmed by the senate; and the injunction of secresy on the subject removed from the journal. Thus the administration was sustained in this measure by the senate; and in the house of representatives the bill making the appropriation for the mission, was carried, after a debate of many days, on the 21st of April, by a vote of 133 to 61.

The house having thus concurred with the senate in assenting to the policy of the mission, measures were taken to carry it into effect; and orders were transmitted to Mr. Anderson, who was then minister to Colombia, to attend the congress, which was to hold its first meeting in the month of June. In his way to Panama he was unfortunately attacked, at Carthagena, by a malignant fever, which proved fatal, and deprived the country of an able and useful representative.

The delay that had been occasioned by the long and protracted discussions to which this measure had been subjected, in both houses of Congress, thus prevented any representation of the United States in the congress at Panama; it having been found impossible for Mr. Sergeant to prepare, in the short time which remained after the decision of the house, before the meeting of the congress, for his departure, and the approach of the unhealthy season having rendered a journey across the isthmus to Panama peculiarly dangerous.

The representatives of Peru, Mexico, Central America, and Colombia, met there on the 22d of June, 1826. Upper Peru, or Bolivia, had not then organized its government, and was not represented, nor was the republic of Chili. The governments of England and the Netherlands, though uninvited, sent diplomatic agents, who were not permitted to be present during the deliberations of the congress, but communications were made to them of their proceedings.

The congress continued in session until the 15th of July, and concluded between themselves a treaty of friendship and perpetual confederation, to which all other American powers might accede within the year. The treaties between the assembled powers were recognised and renewed, and the meeting of the congress annually in time of common war, and biennially in time of peace, agreed upon. The next meeting and to be held at Tacubaya, a village near the city of Meeting.

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Mr. Poinsett, United States minister to Mexico, was appointed commissioner to Panama in place of Mr. Anderson, deceased, and Mr. Sergeant, his colleague, repaired to Mexico, to be present when the congress should reassemble at Tacubaya. The congress did not assemble, however, at the appointed time, and there being no prospect of another session at any specified period, Mr. Sergeant returned to the United States. The causes of this unexpected issue of a measure which promised in its commencement to do so much to meliorate the condition of mankind, by diminishing the causes as well as the evils of war, it is believed, were occasioned by the internal commotions of Colombia and Peru, and the apprehension which existed in South America of the ambitious designs of Bolivar.

The nineteenth Congress passed but few acts of general interest at their first session, nor was it distinguished by any important measures, excepting the sanction given to the Panama mission. Nearly all the propositions which were called for by the public voice, were defeated, either from want of time for their consideration, or by an influence which seemed to exert itself for the purpose of rendering the administration unpopular. This was, perhaps, to have been expected, in the state of parties as then existing, and the powerful combination which was forming for the purpose of overthrowing the administration.

The disposition of this Congress was, however, favorable to objects of internal improvement. In addition to fifty thousand dollars appropriated for general surveys, specific appropriations were made for the survey of a canal route across Florida, for sundry postroads, and for continuing and repairing the Compenhand road. One hundred and fifty thousand dollars

appropriation of the public lands was made in all the townships belonging to the United States, where lots had not been previously set apart for that object. Authority was given at this time for preparing a treatise at the expense of the general government, on the culture of the silkworm, and of mulberry-trees, and for giving information on the manufacture of silk in the United States.

The discordance in the materials of the opposition prevented any harmonious concert of action and purpose at this first session of the nineteenth Congress, but during the vacation and the succeeding session, great progress was made toward a stricter union, and before the expiration of the term of that Congress, in March, 1827, the party had assumed a consistent shape. General Jackson was nominated by the legislature of Tennessee, as early as October, 1825, as a candidate for president, to succeed Mr. Adams. This nomination was formally accepted by him, in an address delivered before both branches of the legislature, in which he resigned his seat in the senate of the United States. The strong insinuations in this address against the propriety of the last election by Congress. plainly indicated General Jackson's dissatisfaction at the result, and manifested a willingness to sanction an opposition to the administration on the ground of its corrupt origin. The charge of corruption at the recent election, by bargain and intrigue between Messrs. Adams and Clay, was more directly countenanced by the general, in a letter to Mr. Carter Beverley, of Virginia, published in the papers in 1827. The adherents of the vice-president sustained the charge of corruption against the administration, in debates in Congress, uniting cordially in this and other respects, with the original friends and supporters of General Jackson.

That numerous portion of the opposition to the administration who had been attached to the political fortunes of Mr. Crawford, were still unwilling to adopt General Jackson as the next candidate for the presidency, in opposition to Mr. Adams; but it soon became apparent that no other course was left to them, if success was desired, but to acquiesce in his support. Accordingly, it was announced early in 1827, by a leading opposition member from Virginia, that the combinations for effecting the elevation of General Jackson, were nearly complete, and, in fact, greater concert was manifested in their party movements after that time.

The strong popular vote which, in despite of the efforts of the Adams, Clay, and Crawford parties, the general had received at the last election, probably had much effect in inducing the friends of Mr. Crawford to come to the conclusion to support him. It furnished, ready formed, a large capital which the Crawford party saw they could add to their own, simply by consenting to receive it. The united electoral votes for Jackson and Crawford, in 1824, they remembered, were 140, while those for Adams and Clay were but 121. They knew, too, that in the chivalric bravery of General Jackson, his brilliant success in the late war, and the many pop-

ular and fascinating points in his character, would, when supported by such a compact, disciplined association as was the Crawford party in many of the states, render this extraordinary man irresistible as a candidate before the people. If he was subject to rashness and precipitancy, they thought they could surround him with friends and advisers who would keep him within due bounds. True, the Crawford men had, in 1824 and 1825, manifested the utmost horror at the least prospect of his election, and Mr. Crawford himself was known to have expressed very unfavorable opinions of him; but a better knowledge of the man, and above all, a kind of political necessity, had materially changed their views.\*

The charge of bargain and intrigue made by General Jackson and some of his friends, against Messrs. Adams and Clay, was met by Mr. Clay, the secretary of state, in a body of testimony, which was thought, by a large portion of the reading public, to overthrow the accusation against him, and convinced many that in voting for Mr. Adams, in the house of representatives, Mr. Clay and his friends conscientiously discharged their duty. Still, the opposition papers continued to dwell upon the charge, and doubtless many persons retained their original unfavorable impressions on this subject. But the opposition to the administration had now become so fully matured, that it no longer needed the aliment which had first given life and vigor to it.

The course of the administration itself, with regard to appointments to office, tended to promote the objects of the opposition, and to accelerate its own downfall. Following up the principle promulgated in his inaugural address of administration the reverse without record to restrict the reverse of administration of the course of administration itself, with regard to appointments to office, tended to promote the course of the course

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government was exercised against it, rather than in its favor; and the singular spectacle was presented, of an administration openly and violently opposed by those whose influence in society, and whose very means of subsistence, were dependent upon its will.

The members of the cabinet, with the exception of Mr. Clay, the secretary of state, were unable to bring to the aid of the administration the support and political influence that might reasonably have been anticipated. The friends of Mr. Clay, throughout the Union, with but comparatively few exceptions, gave a zealous support to the administration; but Mr. Rush, secretary of the treasury, and Mr. Barbour, secretary of war, who had been attached to the Crawford party, could not effect any important change in the political character of states so irrevocably hostile to Mr. Adams as Pennsylvania and Virginia. The secretary of the navy. Samuel L. Southard, who was appointed by Mr. Monroe, December 9, 1823, and continued in office by Mr. Adams, exercised his influence effectively in New Jersey, his native state, which had voted for General Jackson in 1824, but now supported the administration of Mr. Adams. Mr. Wirt, the attorney-general, was not an active politician, nor is it probable that he could have produced any important effect in Virginia. postmaster-general. John M'Lean, although professedly neutral in the contest, was believed to prefer General Jackson to Mr. Adams. Thus unfortunately, in every point of view, was the administration placed; and to the eye of careful observers, its destiny, it appeared probable, was to endure only for the single term of four years.

The second session of the nineteenth Congress was held from the 4th of December, 1826, to the 3d of March, 1827. But few laws of an important or general character were passed at this session, though others were urged with great zeal and ability by several members. There was, at this period, a very strong feeling in Congress as to the theory and views of the executive; and with many a disposition to scrutinize closely the recommendations of the president. Some supposed his objects were visionary, and he was charged with entertaining such views of the constitution as that national internal improvements might justly be made, though there might be large expenditures in their execution.

An appropriation of thirty thousand dollars was made for repairs on the Cumberland road; lands were reserved for seminaries of learning in Louisiana, in Florida, and in Arkansas; and a grant of public lands was made to the asylum of the deaf and dumb in Kentucky. A bill was introduced in the senate by Mr. Dickerson, of New Jersey, an opposition senator, for distributing a certain part of the surplus of the public revenue among the several states. But the proposition was not received with much favor; and, after a short discussion, the bill was denied a second reading. The plan originated in a wish to maintain state power and rights, and to pre-

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vent great expenditures by the national government, which would naturally increase the influence and patronage of the latter.\*

Great efforts were again made at this session of Congress for the passage of a bankrupt law. The bill introduced at the last session, by Mr. Hayne, of South Carolina, was now taken up, and ably discussed by the mover and others, but the bill was opposed, and finally defeated, on the pretence that it would operate particularly for the relief of merchants, and would be of no benefit to the other classes of citizens.

The subject of commercial intercourse with the British colonies was also discussed at great length at this session. It was one of peculiar interest and importance; for the trade with the British ports in the West Indies was so restricted by acts of parliament, that it could be pursued with but little profit by the citizens of the United States. Both branches of Congress had a bill prepared on this subject; they did not differ materially; but it was said in the house, that the bill before the senate did not fully protect the interests of American merchants trading to those ports; and no law was enacted, as was proposed and expected. The difference might have been adjusted by a committee of conference of both houses, as is usual in cases of disagreement; but this was not done in season, and the close of the session prevented it. And on the 17th of March, by virtue of a law passed three years before, the president declared, by proclamation, that the trade with those ports was prohibited; as the discriminating duties of the British government had not been removed.

The sum of thirty thousand dollars was appropriated for improving the navigation of the Ohio river. Grants of the public lands were made to and the object of the mover was not attained. Another unsuccessful effort was made to pass a law for allowing compensation to the officers of the continental army who continued in service till the close of the revolutionary war. At the following session an act was passed making the desired appropriations for these veterans. When the term of the nineteenth Congress expired, there was a large amount of unfinished business of great importance laying on the table. Although the administration had a nominal majority of supporters in both houses, yet the course of the opposition greatly retarded the public business, and disheartened the friends of the administration.

The elections for members of the twentieth Congress took place in many of the states, under a highly excited state of public feeling for and against the administration. Great efforts were made by the opposition leaders to secure a majority in the house, for the double purpose of checking the administration, and producing an influence on public opinion favorable to the opposition, in anticipation of the next presidential election. The states of Delaware and New Jersey showed changes from the opposition to the administration side. The president's friends were also sustained by the New England states, in Ohio, Indiana, and Louisiana. But these favorable indications were more than counterbalanced by adverse results in the elections in Kentucky and New York, Virginia, the Carolinas, and other southern states, except Louisiana; also Pennsylvania, Tennessee, and Illinois, elected opposition members with few exceptions. The general result was the return of a majority of opposition members to the house of representatives; and this victory was soon followed by such an accession from those who were uncommitted in the senate, as to give a majority to the same party in that body.

The bill for increasing the duties on imported manufactures of wool having been defeated at the close of the last session of the nineteenth Congress, steps were immediately taken by the friends of the protective system, to bring the subject again before Congress, and a convention of delegates from many of the states, was held at Harrisburg, Pennsylvania, for the purpose of concentrating public opinion, and to obtain an harmonious co-operation in the measures to be taken for the encouragement of domestic manufactures.

It was determined at this convention to memorialize Congress, not only on the subject of an increase of duty on woollens, but on many other articles of manufacture. In short, a very general revision of the protective features of the tariff of 1824, with a view to augmentation, was agreed upon. The proceedings of the Harrisburg convention provoked much animadversion among the opponents of the policy, particularly in some of the seaport towns, and in the southern states, where the planters were very hostile to the protective system.

Such was the state of public opinion when the twentieth Congress as-

sembled; and as it was generally believed that the course taken by the parties supporting and opposing the administration on this question, would materially affect their prospects of success, much anxiety prevailed concerning the view which the president might feel bound to take of this subject in his annual message.

The northwestern states, and Pennsylvania, were well known to be tariff states; and their votes, it was predicted, would depend entirely upon the division of parties upon this question.

Contrary to general expectation, no notice was taken of the subject in the opening message to Congress; but in the annual report of the secretary of the treasury, Mr. Rush, on the 10th of December, an elaborate view was taken of the manufactures of the country, and their encouragement and protection warmly recommended.

The first session of the twentieth Congress commenced on the 3d of December, 1827, and closed on the 26th of May, 1828. In the house of representatives two hundred and seven members were present, and on the first ballot for speaker, Andrew Stevenson, of Virginia, had 104 votes, John W. Taylor, of New York, had 94, and there were 7 scattering. The opposition speaker was thus elected. He had supported Mr. Crawford for president, in 1824, and his success as a candidate for speaker showed the union of the different sections of the opposition, and was regarded as a presage of the approaching downfall of the administration.

The committees of both houses, a majority of the senate being now of the same sentiments as the house, of course represented the political opinions of the opposition; and the administration was left without that other party. On the 11th of January, Mr. Sloane moved a resolution requiring the secretary of war to furnish the house with a copy of the proceedings of a court-martial held on the 5th of December, 1814, in a detachment of the army under the command of General Jackson, for the trial of certain Tennessee militiamen.

These men were tried for insubordination and mutiny, and having been found guilty, were condemned to be shot, which sentence was ordered by General Jackson to be carried into execution. It was supposed that the publication of the official records would prove the general to have been careless of human life, and render him unpopular, as the proceedings of the court-martial were not strictly formal. The introduction of this resolution caused much excitement in the house. It was, however, finally passed, with sundry amendments, and, with the documents furnished by the war department, referred to the committee on military affairs for examination. On the 11th of February the committee made a long exculpatory report, justifying the execution of these militiamen, which, by a vote of the house, 103 to 98, was ordered to be printed with the documents, in the order in which they had been arranged by the committee.

A long and exciting debate, of a party character, arose on the subject of certain resolutions submitted in January, by Mr. Chilton, a new member on the opposition side from Kentucky. These resolutions proposed an inquiry into the expenditures of the government, with a view to retrenchment. It did not appear that either party had been consulted by the mover in bringing them forward. After debating the subject for nearly two weeks, the house adopted, in lieu of Mr. Chilton's resolutions, others offered by Mr. Hamilton, to appoint a select committee to inquire and report in detail on expenses and retrenchment. The select committee was then appointed by the speaker, but Mr. Chilton was not placed thereon.

After a long and minute investigation, the committee, on the .15th of May, made a report on the subject referred to them, and the minority of the committee made a counter report.

These reports comprehended the whole subject of the discretionary expenditure of the executive part of the government, and contained a statement of the respective views and principles of the opposition and administration parties concerning the projected reform in the federal government.

Six thousand copies of these reports were ordered to be printed for distribution by the members, among their constituents, and this brought the question directly before the public for its decision. On one side, the augmented expenditure of the government was relied on to prove the extravagance of the administration, and on the other, this increase was shown to be a necessary result of the policy deliberately adopted by the nation. The continuance of this policy was, therefore, properly the question to be

interest.

decided; but so much personal predilection and sectional prejudice en tered into the contest, that this question, the real one in issue, was not fairly tried.\*

The subject of a revision of the tariff on imports, with a view to additional protection to American manufactures, was brought before Congress at an early period of the session. The committee on manufactures, to whom the memorials on the subject were referred, on request, was granted power to send for persons and papers. Many manufacturers and others were examined by the committee, and on the 31st of January, after spending four weeks in these inquiries, they made a report, accompanied by the testimony taken, and a new tariff bill, in which an increased rate of duties was proposed on many articles of produce and manufacture.

The committee on manufactures which reported this bill was composed of two members friendly to the administration, and five of the opposition, but only one member of the committee was decidedly opposed to a protective tariff. It was asserted by the friends of the administration, that although six of the committee were apparently friendly to the tariff policy, two only were so in reality, and one only opposed, while the other members of the committee were disposed to use the question as a political engine; and that no law could be expected from a committee so constituted, but one which would be framed more with a view to affect public opinion

The discussions on the tariff bill continued from the 12th of February to the 15th of April, various amendments proposed by Mr. Mallary, chair-

in relation to the presidential election, than to advance the manufacturing

some relief to the navigating interest. A bill reducing the duties on wines, passed into a law, after a close division in the house.

With the view of providing a remedy for certain difficulties in the process in the courts of the United States, a bill was introduced at the commencement of the session, regulating the process of federal courts in those states admitted into the Union since the year 1789. This bill, which was intended for the convenience of the new states, after considerable discussion, passed both houses and became a law.

The vice-president, Mr. Calhoun, having construed his powers as presiding officer of the senate, as not permiting him to preserve order in that body, it became necessary to pass some resolution declaring it to be within the scope of his authority. An amendment to the rules was accordingly offered at this session, declaring that every question of order should be decided by the president of the senate, without debate, subject to appeal to the senate.

This simple proposition excited a long and eloquent debate in the senate, in which the opposition generally sustained the view taken by the vice-president of his powers. They thought the authority proposed by the amendment to vest in the presiding officer, as of the most aristocratic character, and threatening the most alarming consequences. The amendment, however, was adopted, by a vote of 31 ayes to 15 nays.

The other business of the session did not possess much permanent interest. The tariff and the presidential election seemed to have absorbed the faculties, and engrossed all the attention of the members, and after a long and rather angry session, Congress adjourned on the 26th of May, without much regret on the part of the community, at the termination of its protracted debates.

The presidential election took place in the autumn of 1828, in the midst of a highly-excited state of public feeling, brought on by protracted discussions on the characters of the candidates for the presidency, and the political questions involved in the contest. These discussions had been carried on through the public press, and at assemblages of the people, in all parts of the Union. The most strenuous exertions were used by each party, and the contest was most animated. The result was the defeat of Mr. Adams, and the election of General Jackson as president, and Mr. Calhoun as vice-president, for the ensuing term of four years. In the electoral colleges the vote stood 178 for General Jackson, and 83 for Mr. Adams. 'The candidates for vice-president were Mr. Calhoun, who was re-elected by 171 votes (7 being given for William Smith, of South Carolina), and Richard Rush, who received the same vote as Mr. Adams. The number of electoral votes received by Mr. Adams, was one less than he received in 1824, while those given to General Jackson exceeded by one vote the united votes of Jackson, Crawford, and Clay, in 1824.

A change in the cabinet of Mr. Adams took place in May, 1828, Mr.

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March, 1829.

The president's message was an abcountry, and of the condition of our dodiffered from his three former annual mesject of the tariff, which had before bee expressed, that the exercise of a constituthe great interests of the country from t countries, would never be abandoned.

Congress appeared inclined, this session sities of the government. The term of t too short to allow it to do more than to brin views and policy of the succeeding adminis Certain measures, however, affecting the r upon the consideration of Congress, and th too obvious to be overlooked. The first of extending the term within which goods may of drawback, without any deduction. Anot drawback on the exportation of refined so passed and became laws.

A tonnage bill introduced in the house, m gating interest, met with a less favorable; to repeal the tonnage duties upon American by treaty on the same footing. It passed debate, but was rejected in the senate.

The twentieth Congress was liberal in a munications, by roads and canala and

A bill was also introduced into the senate, which ultimately became a law, appropriating \$250,000 for constructing a breakwater in Delaware bay; the construction of a military road in Maine, was also authorized, and \$15,000 appropriated for that purpose.

A bill providing for a voyage of discovery and exploring expedition in the South seas and Pacific ocean, passed the house, but was lost in the senate. Bills of considerable importance, authorizing the president to expose to public sale the reserved lead mines and salt springs in the state of Missouri, passed both houses.

The main business of the session was the legislation on the subject of the Cumberland road. The house decided, by a considerable majority, in favor of both the constitutionality and expediency of erecting gates, and imposing a system of tolls, in order to keep the road in repair. The senate, without discussing the constitutional power, struck out the sections relating to toll-gates and the one hundred thousand dollars required to put the road in repair. Another bill passed both houses, appropriating money for the construction of the road westwardly from Zanesville in Ohio.

The appropriations for the public service did not occasion much discussion at this session. The excitement of the presidential election was followed by a reaction in the public mind; and the interest felt by the members in the arrangements for organizing a new administration, left but little inclination for a critical examination of the estimates for the ensuing year.

A treaty concluded with Brazil, recognising the liberal commercial principles of the United States, was not ratified until after the accession of General Jackson to the presidency, although it was completed under the administration of Mr. Adams.

The presidential contest having been decided, the business of Congress was transacted with less interruption from political discussion than usual, and this session was characterized by greater freedom from party asperity than the last.

"Thus terminated the administration of John Quincy Adams; and whatever opinion may be entertained of its policy, and its tendency, it can not be denied that its character was marked and definite; and that it exercised a strong influence upon the interests of the country. The merits and demerits of his policy were positive, and not negative. Certain definite objects were proposed as desirable, and the energies of the government were directed toward their attainment.

"The United States, during this administration, enjoyed uninterrupted peace; and the foreign policy of the government had only in view the maintenance of the dignity of the national character; the extension of its commercial relations, and the successful prosecution of the dignity of American citizens upon foreign governments.

"It was, however, in the domestic policy of the government that the character of the administration was most strongly displayed. During its continuance in office, new and increased activity was imparted to those powers vested in the federal government for the development of the resources of the country; and the public revenue liberally expended in prosecuting those national measures to which the sanction of Congress had been deliberately given as the settled policy of the government.

"More than one million of dollars had been expended in enlarging and maintaining the lighthouse establishment; half a million in completing the public buildings; two millions in erecting arsenals, barracks, and furnishing the national armories; nearly the same amount had been expended in permanent additions to the naval establishment; upward of three millions had been devoted to fortifying the seacoast; and more than four millions expended in improving the internal communications between different parts of the country, and in procuring information, by scientific surveys, concerning its capacity for further improvement. Indeed, more had been directly effected by the aid of government, in this respect, during Mr. Adams's administration, than during the administrations of all his predecessors. Other sums, exceeding a million, had been appropriated for objects of a lasting character, and not belonging to the annual expense of the government; making in the whole, nearly fourteen millions of dollars expended for the permanent benefit of the country, during this administration.

"At the same time, the interest on the public debt was punctually paid, and the debt itself was in a constant course of reduction, having been diminished \$30,373,188 during this administration, and leaving due, on the

### BIOGRAPHICAL SKETCH

OF

# ANDREW JACKSON.

The ancestors of Andrew Jackson, the seventh president of the United States, were among the emigrants from Scotland to the province of Ulster, in Ireland, at a period when it was the policy of the English government to promote the colonization of settlers from England and Scotland on the confiscated lands of the Irish. The family of Jackson was therefore of Scottish origin; and they were attached to the presbyterian church. Hugh Jackson, the grandfather of the subject of the present sketch, was a linen draper, near Carrickfergus, in Ireland. His four sons were respectable farmers; of whom Andrew, the youngest, married Elizabeth Hutchinson, and had in Ireland two sons, Hugh and Robert. The unfortunate condition of his native country induced him to dispose of his farm, and in 1765, with his wife and children, to emigrate to America, and settle in South Carolina. Samuel Jackson, a son of another of the brothers, at a subsequent period, emigrated to Pennsylvania, and became a citizen of Philadelphia.

Three of the neighbors of Andrew Jackson, named Crawford, emigrated to America with him, and the four emigrants purchased lands and settled in the Waxhaw settlement, South Carolina, near the line of North Carolina.

On this plantation of his father, at Waxhaw settlement, Andrew Jackson, the subject of this memoir, was born, on the 15th of March, 1767. His father died about the time of his birth, leaving his farm to his widow, and his name to his infant son.

Left with three young sons, and moderate means, Mrs. Jackson gave her two oldest a common school education, while the youngest she desired to see prepared for the ministry, and, at a proper age, placed him under the tuition of Mr. Humphries, principal of the Waxhaw academy, where he made considerable progress in his studies, including latin and

Greek, until interrupted by the events of the war of the revolution. Although but about eight years of age, when the first conflicts between the British and Americans took place, Andrew Jackson soon became accustomed to the stirring scenes around him, of the friends and neighbors of his mother training themselves for battle, and preparing to defend their homes from the attacks and ravages of the invading foe.

The British commanding officers in America having resolved to carry the war into the southern states; Savannah, in Georgia, was taken in 1778, and South Carolina invaded in the spring of 1779. The militia were summoned to the field to repel them, and Hugh Jackson, the oldest brother of Andrew, lost his life in the fatigues of the service. A battle took place at the Waxhaw settlement, between the British and Americans, in May, 1780, when 113 Americans were killed, and 150 wounded. Considerable ammunition and stores fell into the hands of the enemy. In the Waxhaw meetinghouse, where the wounded were carried, Andrew Jackson, then thirteen years of age, first saw the horrors of war. The mangled bodies of his countrymen confirmed the impression made upon his youthful mind by the tales of English oppression and cruelty which he had so often heard from his mother and kindred, while relating scenes of tyranny in Ireland, from which his father had fled to find a retreat in America.\*

In the summer of 1780, Andrew Jackson, being then but little more than thirteen years of age, in company with his brother Robert, joined a corps of volunteers, under the command of Colonel Davie, to attempt the defence of that part of the country against a body of British troops and tories who had penetrated into the interior of the Carolinas. Davie's captivity, at Camden, where their sufferings were great from their wounds, and the small-pox, then prevalent among the prisoners. Being finally released, by exchange, the Jacksons, accompanied by their mother, returned home to the Waxhaw settlement, where Robert died in two days afterward. By kind nursing and the care of a physician, Andrew finally recovered from a dangerous sickness. His mother died soon after this, from the effects of a fever taken on board the prison-ship at Charleston, whither she went on an adventure of kindness and mercy, for the relief of some of her relatives and friends confined on board of that vessel. Thus every member of the Jackson family which came from Ireland to America to escape British oppression, perished through the effects of the same oppression in America. The only remnant of the family was an American-born son, who, through many perils, lived to be the avenger of his

At the close of the war of the revolution, Andrew Jackson was left alone in the world, his own master, with some little property, but without the benefit of parental counsel or restraint. At first associating with idle young men, he imbibed loose and extravagant habits, which he suddenly determined to reform. Changing his course of life, he commenced the study of law, at Salisbury, North Carolina, with Spruce M'Cay, Esq., then an eminent counsellor, and subsequently a judge of distinction. This was in the winter of 1784, when he was in his eighteenth year. He finished his studies under Colonel Stokes, and in a little more than two years he was licensed to practise law. Soon after this, without solicitation on his part, he received from the governor of North Carolina the appointment of solicitor for the western district of that state, embracing the present state of Tennessee.

At the age of twenty-one, in 1788, Andrew Jackson, accompanied by Judge McNairy, crossed the mountains to take up his abode in Tennessee, then the western district of North Carolina. For several months he resided at Jonesborough, then the principal seat of justice in that district. In 1789, he first visited the infant settlements on the Cumberland river, near the present site of Nashville. The settlers had at this time many difficulties with the Indians, who were then numerous and hostile to the whites. During this perilous period, Jackson performed twenty-two journeys across the wilderness of two hundred miles, then intervening between Jonesborough and the Cumberland settlements. He was frequently under arms, with other settlers, to protect parties of emigrants from the attacks of the Indians. He was also engaged in several expeditions against the Indians, in one of which, in 1794, the native town of Nickajack, near the Tennessee river, was destroyed. By his gallantry in these affairs, Jackson became well known to the Indians, who gave him the names of "Sharp Knife" and "Pointed Arrow." He gained equally their respect and that of his companions, the hardy settlers of Tennessee.

connexion, in the summer of 179 addresses, and was accepted. In to the Cumberland, where they verifieds.

In December, 1793, Jackson let the Virginia legislature did not grafor divorce in a Kentucky court, where the summarised and mortifie Nashville, in January, 1794, he took married. The conduct of Jackson familiar with the circumstances, consistent with true morality. His frie "In his singularly delicate sense chivalrous conception of the femal distinguished from every other personal contents."

Jackson, after his marriage, applihis profession in the practice of the his professional business required the and courage, in no ordinary degree debtors against him, as he was emploclaims, which he succeeded in break ter enemies. Bullies were stimulat brought him into several personal severe punishment of the aggressors.

In 1795, the people of Tennessee the formation of a state constitution

of March following, and he was prevented from continuing longer in that body, being elected by the legislature of Tennessee to the senate of the United States, where he took his seat on the 22d of November, 1797, being then only a few months over thirty years of age. He appears not to have been ambitious or anxious for political distinction at that time, for, after serving one session, he resigned his seat in the senate. During his short career in Congress, it is believed that he made no speeches: but in his votes he acted with the democratic party, opposing the administration of Washington at its close, and subsequently that of John Adams. While a member of the house, he was one of a minority of twelve democrats, among whom were Edward Livingston, Nathaniel Macon, and William B. Giles, who voted against an answer to Washington's last speech to Congress; because that answer expressly approved of the measures of Washington's administration, some of which were condemned by the democratic party. The state gave her first vote for president to Mr. Jefferson in 1796, which vote she repeated in 1800. In the political revolution which elevated Mr. Jefferson to the presidency, Jackson participated, and acted with the friends of Mr. Jefferson; but little effort was required, however, to secure the vote for the democratic candidates, in a state so uniformly devoted to that party as Tennessee.

At this period, the popularity of Jackson in Tennessce was equal, if it did not exceed that of any other citizen of the state. Soon after his resignation as senator, the legislature again honored him by conferring upon him the appointment of judge of the supreme court of the state. This office he accepted, and for a time performed the duties of the station; but, owing to ill health, he determined to resign and retire to private life. This intention he was induced to defer for the present, in consequence of remonstrances from members of the legislature and others, who entreated him to remain upon the bench.

The circumstances in which Jackson was placed, and his course in several public affairs, occasioned a misunderstanding between him and other leading men in Tennessee. Among those who became his enemies, were Judge McNairy and Governor Sevier. A personal quarrel with the latter occasioned a challenge from Judge Jackson, which was accepted by the governor, and the parties, without any formal arrangement, met on horseback, each armed with a brace of pistols, the governor having also a sword, while Jackson had a cane, which he carried as a spear. Putting spurs to his horse, he charged upon his antagonist in a bold and unexpected manner, and the governor dismounted to avoid the shock. The interference of the governor's attendants prevented any serious mischief, and by the intercession of mutual friends further hostile intention of the respective parties, which show the peculis

then existing in the frontier settlements, where men holding the highest public stations were engaged in personal rencounters.

Previous to his affair with Governor Sevier, Jackson was appointed major-general of the militia of the state, viz., in 1802. His competitor was John Sevier, who was then also a candidate for governor. The votes of the officers by whom the appointment of general was made being equally divided, the decision devolved on Governor Roane, who gave it in favor of Jackson.

On the purchase of Louisiana from France, in 1803, by the United States, there were apprehensions of a difficulty with Spain, when the Americans should take possession of the territory. The Tennessee militia were called upon for aid in case of need, and by request of the secretary of war, General Jackson caused boats to be prepared to transport the troops to New Orleans; but neither the boats, nor his own proffered services, were required, as the Spaniards made no resistance to the peaceful transfer and occupation of Louisiana.

In 1804, General Jackson, having served six years on the bench, resigned his office of judge of the supreme court. His biographer and friend, Mr. Kendall, remarks, that he "was not made for what is usually called a first-rate lawyer. His mode of reasoning would not permit him to seek for justice through a labyrinth of technicalities and special pleading. Yet few, if any, exceeded him in seizing on the strong points of a case, and with vigor and clearness applying to them the great principles of law. As a lawyer, in criminal prosecutions, the case of his client always

which ended in blows, between Jackson and Charles Dickinson. on the subject of a bet made at a horse-race, followed by an abusive publication on the part of Dickinson, charging Jackson with cowardice; the general sent Dickinson a challenge. The duel took place at Harrison's mills, on Red river, in Kentucky, on the 30th of May, 1806. The word being given. Dickinson fired first, his ball taking effect in Jackson's breast, and shattering two of his ribs; the next instant Jackson fired, although thus severely wounded, and Dickinson fell; he was taken to a neighboring house, and survived but a few hours. This melancholy affair caused much excitement in Tennessee at the time, and various publications on the subject appeared from the friends of the respective parties, and General Jackson himself; but the certificates of the seconds declared that the duel had been fairly conducted, according to the previous understanding of the parties. The firmness of nerve displayed by General Jackson in this duel was remarkable, considering that he was wounded before discharging his Some weeks transpired before he recovered from the effects of his wounds.

During the short period while General Jackson was a member of Congress, he had formed the acquaintance of Colonel Aaron Burr, who, in 1805, visited the western country, and spent several days at the residence of Jackson. Burr, in his journal, describes the general as "once a lawyer, after a judge, now a planter; a man of intelligence; and one of those prompt, frank, ardent souls whom I love to meet." 'The general treated him with great kindness and hospitality, and understanding that his object was the settlement of a tract of land in Louisiana, and the making arrangements for the invasion of Mexico, in case of a war with Spain, he rendered him such assistance as he could afford, and procured for him a boat to descend the Cumberland river.

In 1806, Colonel Burr again returned to the western country, and commenced preparations for an expedition. General Jackson offered to accompany him to Mexico with a body of troops, in case of a war with Spain; but declined holding communication with him if he had any hostile intentions against the United States. Burr assured him, in the most positive terms, that he had no such hostile design; but Jackson having his suspicions, the previous intimacy between him and Burr ceased. He afterward received orders from the war department to call out the military, if necessary, to suppress Burr's projects, and arrest Burr himself. Twelve military companies of the militia under his command, were ordered out by General Jackson, but as Burr had descended the Cumberland and Mississippi rivers, with only a few unarmed men, the general dismissed the troops, and reported his proceedings to the government.

After Burr was arrested and taken to Richmond, Virginia, for a charge of treason against the United States, General Jackson with moned as a witness, but was not examined. He knew nothing to

criminate the accused, and his evidence, if given, would have been in favor of Burr. It may be here remarked, that Colonel Burr's respect for General Jackson continued through life; and he always spoke of him as a man of integrity and honor. It is believed that he was the first to name him (though this was then unknown to the general himself), as early as 1815, in his private correspondence, as a suitable candidate for the presidency.

General Jackson continued in private life, attending to his agricultural employments, until the war of 1812 with Great Britain. Having become interested in a mercantile establishment in Nashville, the management of which he intrusted to his partner in that business, he became seriously involved in the debts of the concern, which he was compelled to close; and, for the payment of his debts, sold his residence and plantation. He then retired into a log-cabin, near the place since called "the Hermitage," and commenced the world anew. By a prudent and economical management of his affairs, he soon retrieved his pecuniary condition, and again became possessed of the means of comfort and enjoyment.

But a period approached when the pleasures and endearments of home were to be abandoned, for the duties of more active life. War with Great Britain was declared by the Congress of the United States on the 12th of June, 1812. General Jackson, ever devoted to the interests of his country, from the moment of the declaration knew no wish so strong as that of entering into her service against a power which, independent of public considerations, he had many private reasons for disliking. In her he could trace sufferings and injuries received, and the efficient cause why, in early life, he had been left forlorn and wretched, without a single rela-

with snow, no troops could have displayed greater firmness. The general was everywhere with them, inspiring them with the ardor that animated his own bosom.\*

Having procured supplies, and made the necessary arrangements for an active campaign, they proceeded, the 7th of January, 1813, on their journey, and descending the Ohio and Mississippi, through cold and ice, arrived and halted at Natchez. Here Jackson had been instructed to remain, until he should receive further orders. Having chosen a healthy site for the encampment of his troops, he devoted his time to training and preparing them for active service. The clouds of war, however, in that quarter having blown over, an order was received from the secretary of war, dated the fifth of January, directing him, on receipt thereof, to dismiss those under his command from service, and to take measures for delivering over every article of public property in his possession to General Wilkinson. When this order reached his camp, there were one hundred and fifty on the sick report, and almost the whole of them destitute of the means of defraying the expenses of their return. The consequence of a strict compliance with the secretary's order, would have been, that many of the sick must have perished, while most of the others, from their destitute condition, would, of necessity, have been compelled to enlist in the regular army, under General Wilkinson.†

General Jackson could not think of sacrificing or injuring an army that had shown such devotedness to their country; and he determined to disregard the order, and march them again to their homes in Tennessee, where they had been embodied. This determination met with the disapprobation of his field-officers and of General Wilkinson; but persisting in his design. General Jackson marched the whole of his division to the section of country whence they had been drawn, and dismissed them from service, as he had been instructed. The sick were transported in wagons, at the same time. It was at a time of the year when the roads were bad, and the swamps, lying in their passage, deep and full; yet the general placed before his troops an example of patience under hardships that lulled to silence all complaints, and won to him, still stronger than before, the esteem and respect of every one. On arriving at Nashville, he communicated to the president of the United States the course he had pursued, and the reasons that had induced it. His conduct was in the end approved. and the expenses incurred directed to be paid by the government.

The volunteers who had descended the river having been discharged, early in May, 1813, there was little expectation that they would again be called for. Tennessee was too remotely situated in the interior, to expect their services would be required for the defence of the state; and thus far, the British had discovered no serious intention of waging operations against any part of Louisiana. Their repose, however, was not of long.

<sup>•</sup> Eaton's Life of Jackson.

duration. The Creek Indians, inhabiting the country lying between the Chattahoochee and Tombigbee rivers, and extending from the Tennessee river to the Florida line, had lately manifested strong symptoms of hostility toward the United States. This disposition was greatly strengthened through means used by the northern Indians, who were then making preparations for a war against the United States, and who wished to engage the southern tribes in the same enterprise.

An artful impostor had, about this time, sprung up among the Shawnees, a northern tribe, who, by passing for a prophet, had acquired a most astonishing influence among his own and the neighboring Indian tribes. succeeded in a short time in kindling a phrensy and rage against the Anglo-Americans, which soon after burst forth in acts of destructive violence. His brother, Tecumseh, who became so famous during the war, and who was killed subsequently at the battle of the Thames, in Canada, was despatched to the southern tribes, to excite in them the same temper. To the Creeks, then the most numerous and powerful of the southern Indians, he directed his principal attention, and in the spring of 1812 he had repeated conferences with the chiefs of that nation. Deriving his powers from his brother. the prophet, whose extraordinary commission and endowments were, previous to this, well understood by the tribes in the south, his authority was regarded with the highest veneration. To afford additional weight to his councils, Tecumsel gave assurances of aid and support from Great Britain; and having made other arrangements to carry out his plans, he returned to his own tribe.

From this time, a regular communication was kept up between the Creeks

measures were taken to inflict exemplary punishment on the hostile Indians. The legislature, by the advice of numerous citizens, among whom were the governor and General Jackson, authorized the executive to call into the field 3,500 men, to be marched against the Indians. The troops were placed under the command of General Jackson, notwithstanding he was at the time seriously indisposed, from the effects of a fractured arm, owing to a wound received by him from a pistol-shot, in a fight with Colonel Thomas H. Benton, at a public house in Nashville.

The army under General Jackson marched into the Indian country in October, 1813. Crossing the Tennessee river, and learning that a large body of the enemy had posted themselves at Tallushatchee, on the river Coosa; General Coffee was detached with nine hundred men to attack and disperse them. This was effected, with a small loss on the part of the Tennessee troops, while the Indians lost 186 killed, among whom were unfortunately, and through accident, a few women and children. Eighty-four Indian women and children were taken prisoners, and treated with the utmost humanity.

Another battle with over a thousand of the Creeks, took place shortly after, at Talladega, thirty miles below Tallushatchee; the Tennessee troops being commanded by General Jackson in person; when 300 Indians were left dead on the field, and about as many more slain in their flight.

This campaign was protracted much longer than would otherwise have been the case, in consequence of the want of supplies of provisions for the army, which caused large numbers of the troops to return to their homes. Having at length obtained supplies, and being joined by more troops, General Jackson advanced still further into the enemy's country. Several battles took place with the Indians, the most sanguinary of which was that of Tohopeka or the Horseshoe, at the bend of the Tallapoosa river. On that occasion, 557 warriors, of 1,000 in the engagement, were found dead on the field, besides many others who were killed and thrown into the river, while the battle raged, or shot in attempting to escape by swimming. Over 300 prisoners were taken, all, but three or four, women and children. In this and other battles, the whites were assisted by a considerable body of friendly Creek and Cherokee Indians, who engaged in pursuing and destroying their fugitive countrymen with the most unrelenting rigor; "a circumstance." says Eaton, in his life of Jackson, "which the patriot must ever view with abhorrence; and although, from necessity or policy, he may be compelled to avail himself of the advantages afforded by such a circumstance, he can never be induced either to approve or justify it."

The battle of the Horsehoe gave a deathblow to the hopes of the Indians; nor did they venture afterward to make a stand. The principal chiefs came in, made their submission to General Jackson, and sued for peace; the campaign was ended, and the troops were marched back to Tennessee and discharged.

In May, 1814, General Jackson received the appointment of major-general in the army of the United States, on the resignation of General Harrison. Previous to this appointment, a commission as brigadier and brevet major-general had been forwarded to General Jackson, but his commission for the higher office being received the day after the notification of the other, he had not sent his answer to the war department, and the appointment of major-general was accepted.

The contest with the Indians being ended, the first and principal object of the government was, to enter into some definite arrangement which should deprive of success any effort that might thereafter be made, by other powers, to enlist those savages in their wars. None was so well calculated to answer this end, as that of restricting their limits, so as to cut off their communication with British and Spanish agents, in East and West Florida.

No treaty of friendship or boundary had yet been entered into by the government with the Indians; they remained a conquered people, and within the limits, and subject to the regulations and restrictions which had been prescribed in March, 1814, by General Jackson, when he retired from the country. He was now, by the government, called upon to act in a new and different character, and to negotiate the terms upon which an amicable understanding should be restored between the United States and these conquered Indians. Colonel Hawkins, who for a considerable time past had been the agent to the Creek nation, was also associated in the mission.

On the 10th of July, 1814, General Jackson, with a small retinue,

General Jackson entertained the belief that the British, through this channel, with the aid of the Spanish governor, had protected the Indians, and supplied them with arms and ammunition. He received certain information, when on his way to negotiate the treaty with the Indians, that about three hundred English troops had landed; were fortifying themselves at the mouth of the Apalachicola, and were endeavoring to excite the Indians to war. No time was lost in giving the government notice of what was passing, and of the course he deemed advisable to be pursued. The advantages to be secured from the possession of Pensacola he had frequently urged. But the government were unwilling to encounter the risk of a rupture with Spain, by authorizing the United States troops to enter her territory, while she occupied a neutral position, and Jackson was unable to obtain any answer to his repeated and pressing applications to be allowed to make a descent upon Pensacola, and reduce it, which, he gave it as his opinion, would bring the war in the south to a speedy termination. The secretary of war, General Armstrong, however, wrote him a letter on the 18th of July, 1814, which Jackson did not receive until the 17th of January, 1815, after the war was over, in which he remarked, that, "If the Spanish authorities admit, feed, arm, and co-operate with the British and hostile Indians, we must strike, on the broad principle of self-preservation; under other and different circumstances we must forbear."

The general, afterward speaking of this transaction, remarked: "If this letter, or any hint that such a course would have been winked at by the government, had been received, it would have been in my power to have captured the British shipping in the bay. But acting on my own responsibility, against a neutral power, it became essential for me to proceed with more caution than my judgment or wishes approved, and consequently, important advantages were lost, which might have been secured."

Having ascertained, through some Indian spies, that a considerable English force had arrived in Florida, and that muskets and ammunition had been given to the Indians, General Jackson wrote to the Spanish governor of Pensacola, apprizing him of the information received, and demanding the surrender to him of such chiefs of the hostile Indians as were with him. The governor, after some delay, replied to this letter, denying that any hostile Indians were with him at that time; nor could he refuse those Indians assistance, on the ground of hospitality, when their distresses were so great, or surrender them without acting in open violation of the laws of nations. He also demanded to be informed, if the United States were ignorant that, at the conquest of Florida, there was a treaty between Great Britain and the Creek Indians, and whether they did not know that it still existed between Spain and those tribes. In the same letter, the governor accused the United States government of having harbored traitors from the

Mexican provinces, and of countenancing pirates who had committed robberies upon the merchant-vessels of Spain.

The general answered this letter by another equally high-toned, in which, among other things, he says: "Your excellency has been candid enough to admit your having supplied the Indians with arms. In addition to this, I have learned that a British flag has been seen flying on one of your forts. All this is done, while you are pretending to be neutral. You can not be surprised, then, but, on the contrary, will provide a fort in your town for my soldiers and Indians, should I take it in my head to pay you a visit.

"In future, I beg you to withhold your insulting charges against my government, for one more inclined to listen to slander than I am; nor consider me any more as a diplomatic character, unless so proclaimed to you from the mouths of my cannon."

Captain Gordon, who had been despatched to Pensacola, on his return, reported to the general, that he had seen from one hundred and fifty to two hundred officers and soldiers, a park of artillery, and about five hundred Indians, under the drill of British officers, armed with new muskets, and dressed in the English uniform.

Jackson directly brought to the view of the government the information he had received, and again urged his favorite scheme, the reduction of Pensacola. Many difficulties were presented; but, to have all things in a state of readiness for action, when the time should arrive to authorize it, he addressed the governors of Tennessee, Louisiana, and the Mississippi territory, informing them of the necessity of holding all the forces allotted

After waiting two weeks, he made an unsuccessful attack on Fort Bowyer, which commanded the entrance to Mobile bay. The fort was defended by Major Lawrence in so gallant a manner, that the British were compelled to retire, with the loss of one of their ships and about two hundred men.

The British retired to Pensacola, and General Jackson determined, on his own responsibility, to enter Florida and take that town. General Coffee, with about twenty-eight hundred men, had arrived at Fort St. Stephens, on the Mobile river. General Jackson repaired to Coffee's camp, and made the necessary arrangement for marching into Florida. The quartermasters were destitute of funds, and the government credit was insufficient to procure supplies for the army. Thus situated, from his own limited funds, and loans effected on his credit and responsibility, he succeeded in carrying his plans into effect, and in hastening his army to the place of its destination.

The difficulty of subsisting cavalry on the route, rendered it necessary that part of the brigade should proceed on foot. Although they had volunteered in the service as mounted men, and expected that no different disposition would be made of them, yet they cheerfully acquiesced in the order; and one thousand, abandoning their horses, to subsist as they could, on the reeds that grew along the river-bottoms, prepared to commence their march. Being supplied with rations for the trip, on the 2d day of November the line of march was taken up, and Pensacola was reached on the 6th. The British and Spaniards had obtained intelligence of their approach and intended attack, and everything was in readiness to dispute their passage to the town. The forts were garrisoned, and prepared for resistance; batteries formed in the principal streets; and the British vessels moored within the bay, and so disposed as to command the main entrances which led to Pensacola.

The American army consisting of Coffee's brigade, the regulars, and a few Indians, in all about 3,000 men, had arrived within a mile and a half of the town, and formed their encampment. Before any final step was taken, General Jackson concluded to make a further application to the governor, and to learn of him what course, at the present moment, he would make it necessary for him to pursue. Major Piere was accordingly despatched with a flag, to disclose the object of the visit, and to require that the different forts, Barancas, St. Rose, and St. Michael, should be immediately surrendered, to be garrisoned and held by the United States, until Spain, by furnishing a sufficient force, might be able to protect the province, and preserve her neutral character.

This mission experienced no very favorable result. Major Piere, on approaching St. Michael's, was fired on, and compelled to represent the spanish flag was displayed on the fort, and under it the outration mitted, although the British flag had been associated with its

before. Notwithstanding this unprovoked outrage, General Jackson acted with forbearance, and sent another letter to the governor, asking an explanation. In answer, the governor stated that what had been done was not properly chargeable on him, but on the English; and he assured the general of his perfect willingness to receive any overtures he might be pleased to make.

Major Piere was again despatched to meet the offer of the governor. The surrender of the fortifications and munitions of war was demanded, to be receipted for, and become the subject of future arrangement by the respective governments. The governor, after advising with his council, rejected the propositions; and as soon as the answer was received by Jackson, he resolved to urge his army forward, and, immediately commencing his march, proceeded to the accomplishment of his object, determined to effect it, in despite of danger and of consequences.

The American army was in motion early in the morning of the 7th of November. Pushing forward, they were soon in the streets, and sheltered by the houses from the cannon of the British vessels in the harbor. Captain Laval, who commanded the advance, fell severely wounded, while he was charging a Spanish battery. From behind the houses and garden fences, constant volleys of musketry were discharged, until the regulars arriving, met the Spaniards, and drove them from their positions.

The governor, panic-struck, and trembling for the safety of the city, hastened, bearing a flag in his hand, to find the commander, and seek to stay the carnage, and promised to consent to whatever terms might be demanded of him

dered, and retire from the territory. Two days, therefore, after entering Pensacola, he abandoned it. He wrote to the Spanish governor, concluding as follows: "The enemy has retreated; the hostile Creeks have fled to the forest; and I now retire from your town, leaving you to occupy your forts and protect the rights of your citizens."

It had been for some time rumored and generally accredited, that a very considerable force might be expected from England, destined to act against some part of the United States, most probably New Orleans. The importance of this place was well known to the enemy; it was the key to the entire commerce of the western country. Had a descent been made upon it a few months before, it might have been taken with all imaginable ease; but the British had confidently indulged the belief that they could possess it at any time, without much difficulty.

There was nothing now so much desired by General Jackson, as to be able to depart for New Orleans, where he apprehended the greatest danger, and where he believed his presence was most material. He had already effected a partial security for Mobile, and the inhabitants in that vicinity. His health was still delicate, which almost wholly unfitted him for the duties he had to encounter; but his constant expectation of a large force appearing on the coast, impelled him to action. General Coffee and Colonel Hinds, with their mounted men, were ordered to march, and take a position convenient to New Orleans, where they could find forage for their horses. Everything being arranged, and the command at Mobile left with General Winchester, Jackson on the 22d of November, left Mobile for New Orleans, where he arrived on the 1st of December, and where his headquarters were for the present established.

General Jackson was now on a new theatre, and soon to be brought in collision with an enemy different from any he had yet encountered; the time had arrived to call forth all the energies he possessed. His body worn down by sickness and exhaustion, with a mind constantly alive to the apprehension, that, with the means given him, it would not be in his power to satisfy his own wishes, and the expectations of his country, were circumstances well calculated to depress him.

Louisiana, he well knew, was ill supplied with arms, and contained a mixed population, of different tongues, and doubtful as to their attachment to the government of the United States. No troops, arms, or ammunition, had yet descended from the states of Kentucky and Tennessee. His only reliance for defence, if suddenly assailed, was on the few regulars he had, the volunteers of General Coffee, and such troops as the state itself could furnish. Although continually agitated by gloomy forebodings, he breathed his fears to none. He appeared constantly serene, endeavored to impress a general belief that the country could and would be successfully defended. This apparent tranquillity and avowed certainty

of success in the general, excited strong hopes, dispelled everything like fear, and impressed all with additional confidence.

While engaged in his operations on the Mobile, he had kept up a correspondence with Governor Claiborne, of Louisiana, urging him to the adoption of measures for the defence of the state. He had also forwarded an address to the people of Louisiana, endeavoring to excite them to a defence of their rights and liberties. Preparations for collecting troops in sufficient strength to repel an invasion, had been actively carried forward. The secretary of war had called upon the governors of Kentucky and Tennessee for quotas of the militia of those states, which requisitions were promptly answered by the governors, and the troops embarked for New Orleans, in November.

While the troops from the upper country were expected, General Jackson was active in adopting such measures as could be earliest effected, and which were best calculated for resistance and defence. The volunteer corps of the city, and other militia, were reviewed, the forts in the vicinity visited, to ascertain their situation and capacity for defence, and new works were erected on the banks of the Mississippi, below the city. Having endeavored, without success, to induce the legislature of Louisiana promptly to suspend the writ of habeas corpus, and sensible that delay was dangerous, he assumed the responsibility, and superseded their deliberations, by declaring the city and environs of New Orleans under martial law.

The expected British force appeared off Pensacola, early in December, and on the 22d effected a landing of their troops, about fifteen miles southeast of New Orleans. The American gunboats on Lake Borgne, only five

General Jackson now withdrew his troops to his intrenchments, four miles below the city. On the 28th of December, and the 1st of January, these were vigorously cannonaded by the enemy, but without success.

On the morning of the 8th of January, General Pakenham, commanderin-chief of the British, advanced against the American intrenchments with the main body of his army, numbering more than twelve thousand men.

Behind their breastworks of cotton bales, which no balls could penetrate, six thousand Americans, mostly militia, but the best marksmen in the land, silently awaited the attack. When the advancing columns had approached within reach of the batteries, they were met by an incessant and destructive cannonade; but, closing their ranks as fast as they were opened, they continued steadily to advance, until they came within reach of the American musketry and rifles. The extended American line now presented one vivid stream of fire, throwing the enemy into confusion, and covering the plain with the wounded and the dead.\*

In an attempt to rally his troops, General Pakenham was killed; General Gibbs, the second in command, was mortally wounded, and General Keene severely. The enemy now fled in dismay from the certain death which seemed to await them. General Lambert, on whom the command devolved, being unable to check the flight of the troops, retired to his encampment. On the 18th, the whole British army hastily withdrew, and retreated to their shipping.

The heartfelt joy at the glorious victory achieved on one side of the river was clouded by the disaster witnessed on the other. A small body of the American forces was stationed on the right bank of the river. They were attacked by eight hundred chosen British troops, under Colonel Thornton, and compelled to retreat.

The loss of the British in the main attack on the left bank has been variously stated. The killed, wounded, and prisoners, ascertained on the next day after the battle, by Colonel Hayne, the inspector-general, places it at 2,600; General Lambert's report to Lord Bathurst makes it 2,070. The loss of the Americans in killed and wounded was but thirteen.†

On the 20th of January, 1815, General Jackson, with his army, returned to New Orleans. The general glow excited at beholding his entrance into the city, at the head of a victorious army, was manifested by all those feelings which patriotism and sympathy inspire. All greeted his return, and hailed him as their deliverer. The 23d was appointed a day of thanksgiving. Jackson repaired to the cathedral, which was crowded to excess. Children, robed in white, strewed his way with flowers, and an ode was recited as he passed. A Te Deum was sung, and Bishop Dubourg delivered an address, which he concluded by presenting the general with a wreath of laurel.

Martial law still prevailed in New Orleans, and in February General
\*Wilson's United States. † Eaton.



ceived by Mr. Livingston, through A

On being restored to the exercise General Jackson to appear before h for contempt should not be awarded, obey a writ issued to him, detaine court, and imprisoned the judge. T appeared in court in the garb of a court, having previously made a wr. the general to pay a fine of one thou was soon raised by the people, to reliclined to receive it. The amount, wit to Jackson, by act of Congress, in 18

The war being ended, and the miturned to their homes, General Jacks where he arrived in May, 1815, and with the most cordial feelings. An house, in behalf of the citizens, we to his family residence, to repair a brepose to which, for eighteen months

The annunciation of the triumphs every section of the United States, he latures of many of the states voted to have the had done. The Congress and directed a gold medal to be presevent.

The president, on the resignation of

caucus, which was then anticipated to take place in December following. "Nothing is wanting," says Burr, "but a respectable nomination before the proclamation of the Virginia caucus, and Jackson's success is inevitable. Jackson is on his way to Washington. If you should have any confidential friend among the members of Congress from your state, charge him to caution Jackson against the perfidious caresses with which he will be overwhelmed at Washington." On the 11th of December, Colonel Burr wrote to Governor Alston, saying, that, since the date of his last, "things are wonderfully advanced. These will require a letter from yourself and others, advising Jackson what is doing—that communications have been had with the northern states, requiring him only to be passive, and asking from him a list of persons to whom you may address your letters." To this letter Governor Alston replied, on the 16th February, 1816, informing Colonel Burr, that his letter was received in January, "too late, of course, had circumstances been ever so favorable, to be acted upon in the manner proposed. I fully coincide with you in sentiment; but the spirit, the energy, the health, necessary to give practical effect to sentiment, are all gone. I feel too much alone, too entirely unconnected with the world, to take much interest in anything."\*

It appears, from this correspondence, that accidental circumstances alone, prevented the public nomination of General Jackson by his native state, as a candidate for president, at a very early period after the war with Great Britain, and caused the bringing forward of his name to be deferred until the last term of Mr. Monroe's administration, viz., in 1822. In the spring of 1816, General Jackson again visited New Orleans. After stationing the army in the southern section of his division, he concluded a treaty with the Indians, the object of which was to obtain from them the relinquishment of all the claim they pretended to have to lands within the limits of the United States, and which had been previously ceded by them.

In the year 1818, the services of General Jackson, in his military capacity, were again called into requisition. The Seminole Indians, of Florida, had shown their hostility to the United States, by committing depredations on the southern frontiers. General Gaines had been ordered by the president, in October, 1817, to take the necessary measures for the defence of the inhabitants of that section of the Union. He accordingly built three forts, and proceeded to expel the Indians, who resisted him, as far as was in their power, and committed various outrages. At the mouth of Flint river, the Indians fell in with a party of forty men, under Lieutenant Scott, all of whom they killed but six, who escaped by swimming.

When the news of this massacre reached General Jackson, he raised an army of two thousand five hundred volunteers, and mustered them as in the service of the United States. After a rapid march, he arrived with his army, on the 1st of April, at the Mickasucky villages, which were de
\*Davis's Life of Burr.



About the middle of May, Genera near Pensacola, having been informed been harbored at that place. He too Barancas, notwithstanding a remonstratory. Two Indian chiefs, who were General Jackson, under circumstance for which he was censured by many.

On the 2d June, 1818, General Jacitary of war, at the close of which he as be considered as at a close; tranquillifrontier of the United States, and, as I maintained along the gulf of Mexico from either foreign or Indian hostilities. defence justified the occupancy of the will warrant the American governme. Spain can guaranty, by an adequate mi authority within the colony."

After the campaign in Florida, Gen and shortly afterward he resigned his a the session of Congress, in January, 1 his transactions in the Seminole war to by Congress. After a long and exciting of censure, for his proceedings in Florepresentatives, by a large majority, an president and a majority of the cabin Florida were restored.

When the congressional in-

fused to give up certain public documents, deemed of importance, he was taken into custody, by order of Governor Jackson, and committed to prison. The papers being found, under a search-warrant issued by Jackson, Callava was immediately set at liberty. Jackson remained but a few months in Florida; for, disliking the situation, and disapproving of the extent of powers vested in him as governor, he resigned the office and again retired to Tennessee. President Monroe offered him the appointment of minister to Mexico, which he declined in 1823.

In July, 1822, General Jackson was nominated by the legislature of Tennessee as a candidate for president of the United States. This nomination was repeated by assemblages of the people in several other states. In the autumn of 1823, he was elected by the legislature a senator from Tennessee, and took his seat in the senate of the United States in December, 1823. He voted for the protective tariff of 1824.

The popularity of General Jackson with the people of the United States, was shown at the presidential election of 1824, when he received a greater number of electoral votes than either of his competitors, namely, ninetynine. Mr. Adams received eighty-four, Mr. Crawford forty-one, and Mr. Clay thirty-seven. The election consequently devolved on the house of representatives, where, by the constitutional provision, the decision is made by states. Mr. Adams was elected by that body, receiving the votes of thirteen states; General Jackson seven states; and Mr. Crawford four states. The result caused much dissatisfaction among the friends of General Jackson, but a large proportion of those who had supported Mr. Crawford, as well as most of those who had supported Mr. Clay, preferred Mr. Adams to General Jackson.

During General La Fayette's visit to the United States in 1824-'5, he passed through Tennessee, and was received by General Jackson, at the Hermitage, with his accustomed hospitality.

After the election of Mr. Adams to the presidency, the opposition to his administration was soon concentrated upon General Jackson as a candidate to succeed him. In October, 1825, he was again nominated by the legislature of Tennessee for president, on which occasion he resigned his seat in the senate of the United States, in a speech delivered to the legislature, giving his views on public affairs. During the exciting canvass which resulted in his election to the presidency in 1828, by a majority of more than two to one, of the electoral votes, over Mr. Adams, he remained in private life.

In January, 1828, he was present, by invitation, at New Orleans, at the celebration of the anniversary of his victory. Before departing for Washington, in 1829, to take the reins of government, he met with a severe affliction in the death of Mrs. Jackson. This loss bore heavily upon him for some time, and he came into power with gloomy feelings. He reached the national capital early in February, in a plain carriage.



place on the 8th of June, 1845. His States joined in testimonials of respectedatives, and his estate was bequeath ily, who were the relations of Mrs. Ja

The violence of political strife will character and abilities of General Jac praise of great firmness, energy, dec markable military skill, and ardent parations and services as a statesman divided in opinion. It is, perhaps, r this point, but it must be left for the ir

The personal appearance and priva thus described by his friend and biog election to the presidency: "In the precived nothing of the robust and ele high, remarkably straight and spare, as dred and forty-five pounds. His confe for hardship; yet, accustomed to it frenduring fatigue to the same extent, or eyes, with brows arched and slightly pression; but when from any cause elustre and penetration. In his manner commanding; while his countenance, to beams with a strength and intelligence deportment there is nothing repulsive.

### JACKSON'S

## ADDRESSES AND MESSAGES.

#### INAUGURAL ADDRESS.

March 4, 1829.

Fellow-Citizens :-

ABOUT to undertake the arduous duties that I have been appointed to perform by the choice of a free people, I avail myself of this customary and solemn occasion to express the gratitude which their confidence inspires, and to acknowledge the accountability which my situation enjoins. While the magnitude of their interests convinces me that no thanks can be adequate to the honor they have conferred, it admonishes me that the best return I can make, is the zealous dedication of my humble abilities to their service and their good.

As the instrument of the federal constitution, it will devolve upon me, for a stated period, to execute the laws of the United States; to superintend their foreign and confederate relations; to manage their revenue; to command their forces: and, by communications to the legislature, to watch over and to promote their interests generally. And the principles of action by which I shall endeavor to accomplish this circle of duties, it is now

proper for me briefly to explain.

In administering the laws of Congress, I shall keep steadily in view the limitations as well as the extent of the executive power, trusting thereby to discharge the functions of my office without transcending its authority. With foreign nations it will be my study to preserve peace, and to cultivate friendship on fair and honorable terms; and in the adjustment of any differences that may exist or arise, to exhibit the forbearance becoming a powerful nation, rather than the sensibility belonging to a gallant people.

In such measures as I may be called on to pursue, in regard to the rights of the separate states, I hope to be animated by a proper respect for those sovereign members of our Union; taking care not to confound the powers they have reserved to themselves with those they have granted to the con-

federacy.

The management of the public revenue—that searching operation in all governments—is among the most delicate and important trusts in ours; and it will, of course, demand no inconsiderable share of my official solicitude. Under every aspect in which it can be considered, it would appear that advantage must result from the observance of a strict and faithful economy. This I shall aim at the more anxiously, both because it will facilitate the extinguishment of the national debt, the unnecessary duration of which is



Internal improvement, and the dibe promoted by the constitutional:

high importance.

Considering standing armies as d of peace. I shall not seek to enlarge gard that salutary lesson of political tary should be held subordinate to tl of our navy, whose flag has displaye tion and our fame in arms; the pr dock-yards; and the introduction of cipline and science of both branches prescribed by prudence, that I should sooner than enlarging on their import is the national militia, which, in the population, must render us invincible ministered for the good of the people, as it secures to us the rights of perso and of the press, it will be worth defe fending, a patriotic militia will cover i injuries and occasional mortifications of armed freemen, possessed of the n by a foreign foe. To any just system this natural safeguard of the country, my power.

It will be my sincere and constant tribes within our limits a just and libe and considerate attention to their righ tent with the habits of our governmen

The recent demonstration of public autive duties, in characters too legible which will require particularly the cbrought the patronage of the federal of

A diffidence, perhaps too just, in my own qualifications, will teach me to look with reverence to the examples of public virtue left by my illustrious predecessors, and with veneration to the lights that flow from the mind that founded and the mind that reformed our system. The same diffidence induces me to hope for instruction and aid from the co-ordinate branches of the government, and for the indulgence and support of my fellow-citizens generally. And a firm reliance on the goodness of that Power whose providence mercifully protected our national infancy, and has since upheld our liberties in various vicissitudes, encourages me to offer up my ardent supplications that he will continue to make our beloved country the object of his divine care and gracious benediction.

### FIRST ANNUAL MESSAGE.

DECEMBER 8, 1829.

Fellow-Citizens of the Senate and House of Representatives:-

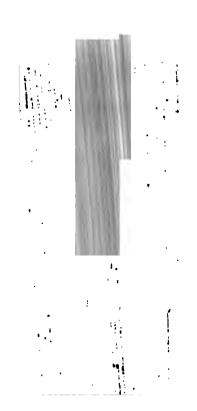
It affords me pleasure to tender my friendly greetings to you on the occasion of your assembling at the seat of government, to enter upon the important duties to which you have been called by the voice of our countrymen. The task devolves on me, under a provision of the constitution, to present to you, as the federal legislature of twenty-four sovereign states, and twelve millions of happy people, a view of our affairs; and to purpose such measures as, in the discharge of my official functions, have suggested themselves as necessary to promote the objects of our Union.

In communicating with you for the first time, it is to me a source of unfeigned satisfaction, calling for mutual gratulation and devout thanks to a benign Providence, that we are at peace with all mankind, and that our country exhibits the most cheering evidence of general welfare and progressive improvement. Turning our eyes to other nations, our great desire is to see our brethren of the human race secured in the blessings enjoyed by ourselves, and advancing in knowledge, in freedom, and in

social happiness.

Our foreign relations, although in their general character pacific and friendly, present subjects of difference between us and other powers of deep interest, as well to the country at large as to many of our citizens. To effect an adjustment of these shall continue to be the object of my earnest endeavors; and notwithstanding the difficulties of the task, I do not allow myself to apprehend unfavorable results. Blessed as our country is with everything which constitutes national strength, she is fully adequate to the maintenance of all her interests. In discharging the responsible trust confided to the executive in this respect, it is my settled purpose to ask nothing that is not clearly right, and to submit to nothing that is wrong; and I flatter myself that, supported by the other branches of the government, and by the intelligence and patriotism of the people, we shall be able, under the protection of Providence, to cause all our just rights to be respected.

Of the unsettled matters between the United States and other powers, the most prominent are those which have for years been the subject of negotiation with England, France, and Spain. The late periods at which



mat it is their policy to proown views, and it is not sentiments of our constituents been afforded for a full develof Great Britain designs to that it will be of a just and palized, we may look with confo our affairs.

Under the convention for disputed points of boundary the proceedings have hithert liberality which ought ever seeking to adjust, by the mos cate subjects of contention. exchanged, and the final replition. This subject has recei peculiar importance to a patriposition of our rights, already of the commissioners by who expect. Our interests at the friendly disposition by assumin committed to a citizen of the s intimate acquaintance with th sponsible a trust. With full co the probity, intelligence, and unarbitrator, we can have nothing

From France, our ancient a which becomes the sovereign opeople. The beneficial effects 1822, limited as are its provisi impression upon the minds of t tion of her government. Show

the French monarch, that the injurious delays of the past will find redress in the equity of the future. Our minister has been instructed to press these demands on the French government with all the earnestness which is called for by their importance and irrefutable justice, and in a spirit that will evince the respect which is due to the feelings of those from whom the satisfaction is required.

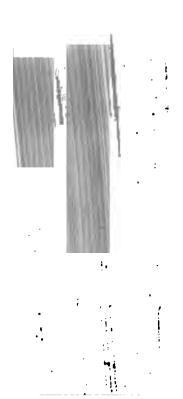
Our minister recently appointed to Spain has been authorized to assist in removing evils alike injurious to both countries, either by concluding a commercial convention upon liberal and reciprocal terms, or by urging the acceptance, in their full extent, of the mutually beneficial provisions of our navigation acts. He has also been instructed to make a further appeal to the justice of Spain, in behalf of our citizens, for indemnity for spoliations upon our commerce, committed under her authority—an appeal which the pacific and liberal course observed on our part, and a due confidence in the honor of that government, authorize us to expect will not be made in vain.

With other European powers our intercourse is on the most friendly footing. In Russia, placed by her territorial limits, extensive population, and great power, high in the rank of nations, the United States have always found a steadfast friend. Although her recent invasion of Turkey awakened a lively sympathy for those who were exposed to the desolations of war, we can not but anticipate that the result will prove favorable to the cause of civilization, and to the progress of human happiness. The treaty of peace between these powers having been ratified, we can not be insensible to the great benefit to be derived by the commerce of the United States from unlocking the navigation of the Black sea, a free passage into which is secured to all merchant vessels bound to ports of Russia under a flag at peace with the porte. This advantage, enjoyed upon conditions, by most of the powers of Europe, has hitherto been withheld from us. During the past summer, an antecedent but unsuccessful attempt to obtain it, was renewed under circumstances which promised the most favorable results. Although these results have fortunately been thus in part attained, further facilities to the enjoyment of this new field for the enterprise of our citizens are, in my opinion, sufficiently desirable to insure to them our most zealous attention.

Our trade with Austria, although of secondary importance, has been gradually increasing; and is now so extended as to deserve the fostering care of the government. A negotiation, commenced and nearly completed with that power, by the late administration, has been consummated by a treaty of amity, navigation, and commerce, which will be laid before the senate.

During the recess of Congress our diplomatic relations with Portugal have been resumed. The peculiar state of things in that country caused a suspension of the recognition of the representative who presented himself, until an opportunity was had to obtain from our official organ there, information regarding the actual, and, as far as practicable, prospective condition of the authority by which the representative in question was appointed. This information being received, the application of the established rule of our government in like cases was no longer withheld.

Considerable advances have been made during the present year in the adjustment of claims of our citizens upon Denmark for spoliations; but all that we have a right to demand from that government in their behalf has not yet been conceded. From the liberal footing, however, upon which this subject has, with the approbation of the claimants, been placed by the



erty, and promoting the hal success their long and ard and enable us to salute the

and glorious.

The recent invasion of M domestic policy, must have of South American emancipa sension rebuked, and perhap independence. If it be true, of independence is the mastevails in the other states, this effect upon the counsels of the a pacific policy toward her for and a blessing to the world, participate—may be most rea

The claims of our citizens a rally, are in a train of settlem. Brazil have been adjusted; an issued by the minister of the sanction of his imperial majes of the ratifications of the treat terminates all serious causes of

Measures have been taken upon a better footing than that if met by a proper disposition benefits may be secured to bot

Deeply interested as we are more particularly in that of our fying to me were I permitted received at her hands has been stant solicitude manifested by right to expert

to return or not, as in his judgment the interests of his country might require; and instructions to that end were prepared; but before they could be despatched, a communication was received from the government of Mexico, through its chargé d'affaires here, requesting the recall of our minister. This was promptly complied with; and a representative of a rank corresponding with that of the Mexican diplomatic agent near this government was appointed. Our conduct toward that republic has been uniformly of the most friendly character; and having thus removed the only alleged obstacle to harmonious intercourse, I can not but hope that an advantageous change will occur in our affairs.

In justice to Mr. Poinsett, it is proper to say, that my immediate compliance with the application for his recall, and the appointment of a successor, are not to be ascribed to any evidence that the imputation of an improper interference by him, in the local politics of Mexico, was well founded; nor to a want of confidence in his talents or integrity; and to add, that the truth of that charge has never been affirmed by the federal

government of Mexico in its communications with this.

I consider it one of the most urgent of my duties to bring to your attention the propriety of amending that part of our constitution which relates to the election of a president and vice-president. Our system of government was by its framers deemed an experiment, and they therefore consistently

provided a mode of remedying its defects.

To the people belongs the right of electing their chief magistrate; it was never designed that their choice should, in any case, be defeated, either by the intervention of electoral colleges, or by the agency confided, under certain contingencies, to the house of representatives. Experience proves that, in proportion as agents to execute the will of the people are multiplied there is danger of their wishes being frustrated. Some may be unfaithful—all are liable to err. So far, therefore, as the people can with conveni-

ence speak, it is safer for them to express their own will.

The number of aspirants to the presidency, and the diversity of the interests which may influence their claims, leave little reason to expect a choice in the first instance; and in that event, the election must devolve on the house of representatives, where, it is obvious, the will of the people may not be always ascertained; or, if ascertained may not be regarded. From the mode of voting by states, the choice is to be made by twentyfour votes; and it may often occur that one of these may be controlled by an individual representative. Honors and offices are at the disposal of the successful candidate. Repeated ballotings may make it apparent that a single individual holds the cast in his hand. May he not be tempted to name his reward? But even without corruption—supposing the probity of the representative to be proof against the powerful motives by which he may be assailed—the will of the people is still constantly liable to be misrepresented. One may err from ignorance of the wishes of his constituents; another from a conviction that it is his duty to be governed by his own judgment of the fitness of the candidate; finally, although all were inflexibly honest—all accurately informed of the wishes of their constituents yet, under the present mode of election, a minority may often elect a president; and when this happens, it may reasonably be expected that efforts will be made on the part of the majority to rectify this injurious operation of their institutions. But although no evil of this character should result from such a perversion of the first principles of our system—that the majority is to govern—it must be very certain that a president elected by a



attempt may be provided for the two highest candidate would seem advisable to lim term of either four or six years is worthy of consideration representatives in Congress would not be proper.

While members of Congression of trust and profit, it will be to adherence to duty, to select to be better qualified to fill than ment would doubtless be prominent the gift of the president, in concerned. The nature of the ing in the cabinet and in diplotations and political experience cultision.

There are perhaps few men office and power, without being unfavorable to a faithful discha may be proof against improper themselves; but they are apt to upon the public interests, and of tised man would revolt. Office and government rather as a mass an instrument created solely in some, and in others a pervengovernment from its legitimate of the few at the expense of the or at least, admit of being made may readily qualify themselves believe that more is lest hard.

his removal, they are not to be sacrificed to private interests. It is the people, and they alone, who have a right to complain, when a bad officer is substituted for a good one. He who is removed has the same means of obtaining a living that are enjoyed by the millions who never held office. The proposed limitation would destroy the idea of property, now so generally connected with official station; and although individual distress may be sometimes produced, it would, by promoting that rotation which constitutes a leading principle in the republican creed, give healthful action to the system.

No very considerable change has occurred during the recess of Congress, in the condition of either our agriculture, commerce, or manufactures. The operation of the tariff has not proved so injurious to the two former, or as beneficial to the latter, as was anticipated. Importations of foreign goods have not been sensibly diminished, while domestic competition, under an illusive excitement, has increased the production much beyond the demand for home consumption. The consequences have been low prices, temporary embarrassment, and partial loss. That such of our manufacturing establishments as are based upon capital, and are prudently managed, will survive the shock, and be ultimately profitable, there is no good reason to doubt.

To regulate its conduct, so as to promote equally the prosperity of these three cardinal interests, is one of the most difficult tasks of government; and it may be regretted that the complicated restrictions which now embarrass the intercourse of nations, could not by common consent be abolished, and commerce allowed to flow in those channels to which individual enterprise, always its surest guide, might direct it. But we must ever expect selfish legislation in other nations; and are therefore compelled to adapt our own to their regulations, in the manner best calculated to avoid serious injury, and to harmonize the conflicting interests of our agriculture, our commerce, and our manufactures. Under these impressions, I invite your attention to the existing tariff, believing that some of its provisions require modification.

The general rule to be applied in graduating the duties upon articles of foreign growth or manufacture, is that which will place our own in fair competition with those of other countries; and the inducements to advance even a step beyond this point, are controlling in regard to those articles which are of primary necessity in time of war. When we reflect upon the difficulty and delicacy of this operation, it is important that it should never be attempted but with the utmost caution. Frequent legislation in regard to any branch of industry, affecting its value, and by which its capital may be transferred to new channels, must always be productive of hazardous speculation and loss.

In deliberating, therefore, on these interesting subjects, local feelings and prejudices should be merged in the patriotic determination to promote the great interests of the whole. All attempts to connect them with the party conflicts of the day are necessarily injurious, and should be discountenanced. Our action upon them should be under the control of higher and purer motives. Legislation, subjected to such influences, can never be just; and will not long retain the sanction of a people, whose active patriotism is not bounded by sectional limits, nor insensible to that spirit of concession and forbearance which gave life to our political compact, and still sustains it. Discarding all calculations of political ascendency, the north, the south, the

east, and the west, should unite in diminishing any burden of which either

may justly complain.

The agricultural interest of our country is so essentially connected with every other, and so superior in importance to them all, that it is scarcely necessary to invite to it your particular attention. It is principally as manufactures and commerce tend to increase the value of agricultural productions, and to extend their application to the wants and comforts of

society, that they deserve the fostering care of government.

Looking forward to the period, not far distant, when a sinking fund will no longer be required, the duties on those articles of importation which can not come in competition with our own productions, are the first that should engage the attention of Congress in the modification of the tariff. Of these, tea and coffee are the most prominent; they enter largely into the consumption of the country, and have become articles of necessity to all classes. A reduction therefore of the existing duties will be felt as a common benefit; but, like all other legislation connected with commerce, to be efficacious, and not injurious, it should be gradual and certain.

The public prosperity is evinced in the increased revenue arising from the sales of public lands; and in the steady maintenance of that produced by imposts and tonnage, notwithstanding the additional duties imposed by the act of 19th May, 1828, and the unusual importations in the early part of

that year.

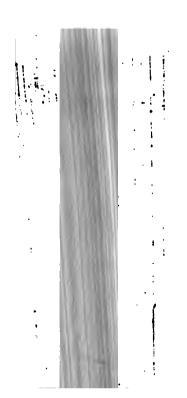
The balance in the treasury on the 1st January, 1829, was five millions nine hundred and seventy-two thousand four hundred and thirty-five dollars and eighty-one cents. The receipts of the current year are estimated at twenty-four millions six hundred and two thousand two hundred and thirty dollars; and the expenditures for the same time at twenty-six millions one hundred and sixty-four thousand five hundred and ninety-five dollars: leaving a balance in the treasury, on the 1st of January next, of four millions four hundred and ten thousand and seventy dollars and eights one

exerted in favor of education and other public objects; while ample means will remain in the federal government to promote the general weal, in all

the modes permitted to its authority.

After the extinction of the public debt, it is not probable that any adjustment of the tariff, upon principles satisfactory to the people of the Union. will, until a remote period, if ever, leave the government without a considerable surplus in the treasury, beyond what may be required for its current service. As, then, the period approaches when the application of the revenue to the payment of debt will cease, the disposition of the surplus will present a subject for the serious deliberation of Congress; and it may be fortunate for the country that it is yet to be decided. Considered in connexion with the difficulties which have heretofore attended appropriations for purposes of internal improvement, and with those which this experience tells us will certainly arise, whenever power over such subjects may be exercised by the general government, it is hoped that it may lead to the adoption of some plan which will reconcile the diversified interests of the states. and strengthen the bonds which unite them. Every member of the Union. in peace and in war, will be benefited by the improvement of inland navigation, and the construction of highways in the several states. Let us then endeavor to attain this benefit in a mode which will be satisfactory to all. That hitherto adopted has, by many of our fellow-citizens, been deprecated as an infraction of the constitution; while by others it has been viewed as inexpedient. All feel that it has been employed at the expense of harmony in the legislative councils.

To avoid these evils, it appears to me that the most safe, just, and federal disposition which could be made of this surplus revenue, would be its apportionment among the several states, according to their ratio of representation; and should this measure not be found warranted by the constitution, that it would be expedient to propose to the states an amendment authorizing it. I regard an appeal to the source of power, in cases of real doubt, and where its exercise is deemed indispensable to the general welfare, as among the most sacred of all our obligations. Upon this country, more than any other, has, in the providence of God, been cast the special guardianship of the great principle of adherence to written constitutions. If it fail here, all hope in regard to it will be extinguished. That this was intended to be a government of limited and specific, and not general powers, must be admitted by all; and it is our duty to preserve for it the character intended by its framers. If experience point out the necessity for an enlargement of these powers, let us apply for it to those for whose benefit it is to be exercised; and not undermine the whole system by a resort to overstrained construction. The scheme has worked well. It has exceeded the hopes of those who devised it, and become an object of admiration to the world. We are responsible to our country and to the glorious cause of self-government, for the preservation of so great a good. The great mass of legislation relating to our internal affairs was intended to be left where the federal convention found it—in the state governments. Nothing is clearer, in my view, than that we are chiefly indebted for the success of the constitution under which we are now acting, to the watchful and auxiliary operation of the state authorities. This is not the reflection of a day, but belongs to the most deeply-rooted convictions of my mind. I can not, therefore, too strongly, or too earnestly, for my own sense of its importance, warn you against all encroachments upon the legitimate sphere Vol. I.-45



..... propiet attention.

It is worthy of notice revenue arising from imp on imported goods presen present exists. There is spects quite insufficient fo tection of the interests of injurious and demoralizin is so obvious as not to requ against. I therefore sugg measures to prevent this ev unnecessary infringement and lawful business.

On an examination of th struck with the large amoun ing. Of the sum thus due ble portion is undoubtedly a been rendered so by remiss By proper exertions a grea whatever may be the portion it behooves the government t be done only by the prompt tion of such as may be mad amount has been lost throug collection of debts due to th in the want of legal skill, ha tion of the agents engaged i that the supervisory power vested in an accounting offic his legal knowledge, and en operates unfavorably to the

skill of the attorney-general, employed in directing the conduct of marshals and district-attorneys, would hasten the collection of debts now in suit and hereafter save much to the government. It might be further extended to the superintendence of all criminal proceedings for offences against the United States. In making this transfer great care should be taken, however, that the power necessary to the treasury department be not impaired; one of its greatest securities consisting in a control over all accounts until they are audited or reported for suit.

In connexion with the foregoing views I would suggest, also, an inquiry whether the provisions of the act of Congress authorizing the discharge of the persons of debtors to the government from imprisonment. may not, consistently with the public interest, be extended to the release of the debt, where the conduct of the debtor is wholly exempt from the imputation of fraud. Some more liberal policy than that which now prevails in reference to this unfortunate class of citizens is certainly due to them, and would prove beneficial to the country. The continuance of the liability after the means to discharge it have been exhausted, can only serve to dispirit the debtor; or where his resources are but partial, the want of power in the government to compromise and release the demand, instigates to fraud as the only resource for securing a support to his family. He thus sinks into a state of apathy and becomes a useless drone in society, or a vicious member of it, if not a feeling witness of the rigor and inhumanity of his country. All experience proves that oppressive debt is the bane of enterprise; and it should be the care of a republic not to exert a grinding power over misfortune and poverty.

Since the last session of Congress numerous frauds on the treasury have been discovered, which I thought it my duty to bring under the cognizance of the United States court for this district, by a criminal prosecution. It was my opinion, and that of able counsel who were consulted, that the cases came within the penalties of the act of the 17th Congress, approved 3d March, 1823, providing for the punishment of frauds committed on the government of the United States. Either from some defect in the law, or in its administration, every effort to bring the accused to trial under its provisions proved ineffectual, and the government was driven to the necessity of resorting to the vague and inadequate provisions of the common law. It is therefore my duty to call your attention to the laws which have been passed for the protection of the treasury. If, indeed, there be no provision by which those who may be unworthily intrusted with its guardianship can be punished for the most flagrant violation of duty, extending even to the most fraudulent appropriation of the public funds to their own use, it is time to remedy so dangerous an omission. Or if the law has been perverted from its original purposes, and criminals deserving to be punished under its provisions have been rescued by legal subtleties, it ought to be made so plain by amendatory provisions as to baffle the arts of perversion, and accomplish the ends of its original enactment.

In one of the most flagrant cases, the court decided that the prosecution was barred by the statute which limits its prosecution for fraud to two years. In this case all the evidences of the fraud, and indeed, all knowledge that a fraud had been committed, were in possession of the party accused, until after the two years had elapsed. Surely the statute ought not to run in favor of any man while he retains all the evidences of his crime in his ownpossession; and least of all, in favor of a public officer who continues to defraud the treasury, and conceal the transaction, for the brief term of two

years. I would therefore recommend such an alteration of the law as will give the injured party and the government two years after the disclosure of the fraud, or after the accused is out of office, to commence their prosecution.

In connexion with this subject, I invite the attention of Congress to a general and minute inquiry into the condition of the government with a view to ascertain what offices can be dispensed with, what expenses retrenched, and what improvements may be made in the organization of its various parts to secure the proper responsibility of public agents, and pro-

mote efficiency and justice in all its operations.

The report of the secretary of war will make you acquainted with the condition of our army, fortifications, arsenals, and Indian affairs. The proper discipline of the army, the training and equipment of the militia, the education bestowed at West Point, and the accumulation of the means of defence applicable to the naval force, will tend to prolong the peace we now enjoy, and which every good citizen, more especially those who have felt the miseries of even a successful warfare, most ardently desires to perpetuate.

The returns from the subordinate branches of this service exhibit a regularity and order highly creditable to its character; both officers and soldiers seem imbued with a proper sense of duty, and conform to the restraints of exact discipline with that cheerfulness which becomes the profession of arms. There is need, however, of further legislation to obviate the inconveniences specified in the report under consideration, to some of which

it is proper that I should call your particular attention.

The act of Congress of the 2d March, 1821, to reduce and fix the military establishment, remaining unexecuted as it regards the command of one of the regiments of artillery, can not now be deemed a guide to the executive in making the proper appointment. An explanatory act, designating the

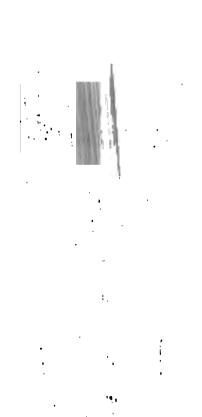
our liberties, and who is unable to maintain himself in comfort. relics of the war of independence have strong claims upon their country's gratitude and bounty. The law is defective in not embracing within its provisions all those who were during the last war disabled from supporting themselves by manual labor. Such an amendment would add but little to the amount of pensions, and is called for by the sympathies of the people, as well as by considerations of sound policy. It will be perceived that a large addition to the list of pensioners has been occasioned by an order of the late administration, departing materially from the rules which had previously prevailed. Considering it an act of legislation, I suspended its operation as soon as I was informed that it had commenced. Before this period, however, applications under the new regulation had been preferred, to the number of one hundred and fifty-four; of which, on the 27th March, the date of its revocation, eighty-seven were admitted. For the amount there was neither estimate nor appropriation; and besides this deficiency, the regular allowances, according to the rules which have heretofore governed the department, exceed the estimates of its late secretary by about fifty thousand dollars, for which an appropriation is asked.

Your particular attention is requested to that part of the report of the secretary of war which relates to the money held in trust for the Seneca tribe of Indians. It will be perceived that, without legislative aid, the executive can not obviate the embarrassments occasioned by the diminution of the dividends on that fund, which originally amounted to one hundred thousand dollars, and has recently been vested in United States three-per-

cent stock.

The condition and ulterior destiny of the Indian tribes within the limits of some of our states have become objects of much interest and importance. It has long been the policy of government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another wholly incompatible with its success. Professing a desire to civilize and settle them, we have at the same time lost no opportunity to purchase their lands, and thrust them further into the wilderness. By this means they have not only been kept in a wandering state, but been led to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditures upon the subject, government has constantly defeated its own policy; and the Indians, in general, receding further and further to the west, have retained their savage habits. A portion, however, of the southern tribes, having mingled much with the whites, and made some progress in the arts of civilized life, have lately attempted to erect an independent government within the limits of Georgia and Alabama. These states, claiming to be the only sovereigns within their territories, extended their laws over the Indians, which induced the latter to call upon the United States for protection.

Under these circumstances, the question presented was, whether the general government had a right to sustain those people in their pretensions. The constitution declares, that "no new state shall be formed or erected within the jurisdiction of any other state," without the consent of its legislature. If the general government is not permitted to tolerate the erection of a confederate state within the territory of one of the memberature of the consent, much less could it allow a foreign appendent government to establish itself there. Georgia became a foreign of the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederacy which eventuated in our federal union, we will the confederate the confederacy which eventuated in our federal union.



not be the duty of the gen a measure? Would the p Six Nations within her be under the protection of the separate republic on each c so disposed, would it be the attempt? If the principle tions be abandoned, it will reversed; and that it has be states which it was establish

Actuated by this view of parts of Georgia and Alabama government would not be co States, and advised them to the laws of those states.

Our conduct toward these character. Their present cor makes a most powerful appeal: the uncontrolled possessors of they have been made to retire mountain, until some of the ti left but reinnants, to preserve rounded by the whites, with th the resources of the savage, de the Mohegan, the Narraganse Choctaw, the Cherokee, and th if they remain within the lim Humanity and national honor avert so great a calamity. It the United States to include t new states whose limits they c A state orno other control from the United States than such as may be necessary to preserve peace on the frontier, and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization; and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race, and to attest the humanity and

justice of this government.

This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that, if they remain within the limits of the states, they must be subject to their laws. In return for their obedience as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose that, in this state of things, claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountain or passed them in the chase. Submitting to the laws of the states, and receiving, like other citizens, protection in their persons and property, they will ere long become merged in the mass of our population.

The accompanying report of the secretary of the navy will make you acquainted with the condition and useful employment of that branch of our service during the present year. Constituting, as it does, the best standing security of this country against foreign aggression, it claims the especial attention of government. In this spirit, the measures which, since the termination of the last war, have been in operation for its gradual enlargement, were adopted; and it should continue to be cherished as the offspring of our national experience. It will be seen, however, that, notwithstanding the great solicitude which has been manifested for the perfect organization of this arm, and the liberality of the appropriations which that solicitude has suggested, this object has in many important respects not been secured.

In time of peace we have need of no more ships-of-war than are requisite to the protection of our commerce. Those not wanted for this object must lay in the harbors, where, without proper covering, they rapidly decay; and, even under the best precautions for their preservation, must soon become useless. Such is already the case with many of our finest vessels, which, though unfinished, will now require immense sums of money to be restored to the condition in which they were when committed to their proper element. On this subject there can be but little doubt that our best policy would be to discontinue the building of ships of the first and second class, and look rather to the possession of ample materials, prepared for the emergencies of war, than to the number of vessels which we can float in a season of peace, as the index of our naval power. Judicious deposites in navy-yards, of timber and other materials, fashioned under the hands of skilful workmen, and fitted for prompt application to their various purposes, would enable us, at all times, to construct vessels as fast as they can be manned, and save the heavy expense of repairs, except to such vessels as must be employed in guarding our commerce. The proper points for the establishment of these yards are indicated with so much force in the report of the navy board that, in recommending it to your attention, I deem it unnecessary to do more than express my hearty concurrence in the views. The yard in this district, being already furnished with the machinery necessary for ship-building, will be competent to the of the two selected by the board as the best for the concentration of

rials; and, from the facility and certainty of communication between them, it will be useless to incur, at these depots, the expense of similar machinery, especially that used in preparing the usual metallic and wooden furniture of vessels.

Another improvement would be effected, by dispensing altogether with the pavy board, as now constituted, and substituting in its stend bureaus similar to those already existing in the war department. Each member of the board transferred to the head of a separate bureau, charged with specific duties, would feel, in its highest degree, that wholesome responsibility which can not be divided without a far more than proportionate diminution of its force. Their valuable services would become still more so when separately appropriated to distinct portions of the great interests of the navy; to the prosperity of which each would be impelled to devote himself by the strongest motives. Under such an arrangement, every branch of this important service would assume a more simple and precise character; its efficiency would be increased, and scrupulous economy in the expenditure of public money promoted.

I would also recommend that the marine corps be merged in the artillery or infantry, as the best mode of curing the many defects in its organization. But little exceeding in number any of the regiments of infantry, that corps has, besides its lieutenant-colonels, who receive the full pay and emoluments of their brevet rank, without rendering proportionate service. Details for marine service could as well be made from the infantry or artillery, there being no peculiar training

requisite for it.

With these improvements, and such others as zealous watchfulness and mature consideration may suggest, there can be little doubt that, under an energetic administration of its affairs, the navy may soon be made everything that the nation wishes it to be. Its efficiency in the suppression of piracy in the West India sees and wherever its sanadrons have been as

in all its efficiency in only fifteen members of the Union; to three others, the circuit courts, which constitute an important part of that system, have been imperfectly extended; and to the remaining six, altogether denied. The effect has been, to withhold from the inhabitants of the latter the advantages afforded (by the supreme court) to their fellow-citizens in other states, in the whole extent of the criminal, and much of the civil authority of the federal judiciary. That this state of things ought to be remedied, if it can be done consistently with the public welfare, is not to be doubted; neither is it to be disguised that the organization of our judicial system is at once a difficult and delicate task. To extend the circuit courts equally throughout the different parts of the Union, and, at the same time, to avoid such a multiplication of members as would encumber the supreme appellate tribunal, is the object desired. Perhaps it might be accomplished by dividing the circuit judges into two classes, and providing that the supreme court should be held by those classes alternately, the chief justice always presiding.

If an extension of the circuit court system to those states which do not now enjoy its benefits should be determined upon, it would of course be necessary to revise the present arrangement of the circuits; and even if that system should not be enlarged, such a revision is recommended.

· A provision for taking the census of the people of the United States will, to insure the completion of that work within a convenient time, claim the

early attention of Congress.

The great and constant increase of business in the department of state forced itself, at an early period, upon the attention of the executive. Thirteen years ago it was, in Mr. Madison's last message to Congress, made the subject of an earnest recommendation, which has been repeated by both of his successors; and my comparatively limited experience has satisfied me of its justness. It has arisen from many causes, not the least of which is the large addition that has been made to the family of independent nations, and the proportionate extension of our foreign relations. The remedy proposed was the establishment of a home department—a measure which does not appear to have met the views of Congress, on account of its supposed tendency to increase, gradually and imperceptibly, the already too strong bias of the federal system toward the exercise of authority not delegated to it. I am not, therefore, disposed to revive the recommendation, but am not the less impressed with the importance of so organizing that department, that its secretary may devote more of his time to our foreign relations. Clearly satisfied that the public good would be promoted by some suitable provision on the subject, I respectfully invite your attention to it.

The charter of the bank of the United States expires in 1836, and its stockholders will most probably apply for a renewal of their privileges. In order to avoid the evils resulting from precipitancy in a measure involving such important principles, and such deep pecuniary interests, I feel that I can not, in justice to the parties interested, too soon present it to the deliberate consideration of the legislature and the people. Both the constitutionality and the expediency of the law creating this bank are well questioned by a large portion of our fellow-citizens; and it must be admitted by all, that it has failed in the great end of establishing a uniform and sound

currency

Under these circumstances, if such an institution is deemed essential to .he fiscal operations of the government, I submit to the wisdom of the legislature whether a national one, founded upon the credit of the government



mend it to your tave as corresponding to fied, it is the fruit infused life and co. much as any exploi Public gratitude, then not be withheld wh lant tars.

I now commend yo with a full reliance on free institutions; and may be my lot to comi devolved on me, will fi counsels.

SPI

To the Senate of the Un

I HAVE been requested pear from the documents the consideration of Consideration advances made by that a redress sought for can ogress. The only agenction to the subject as are the whole may be fairly

This duty I needed

In regard to the former, the rule hitherto adopted by Congress has been to allow to the states interest only where they had paid it on money borrowed, and had applied it to the use of the United States. The case of South Carolina does not come strictly within this rule, because, instead of borrowing, as she alleges, for the use of the United States, upon interest, she applied to the use of the United States funds for which she was actually receiving an interest; and as she is understood to insist that the loss of interest in both cases being equal, and the relief afforded equally meritorious, the same principle of remuneration should be applied.

Acting upon an enlightened sense of national justice and gratitude, it is confidently believed that Congress will be as mindful of this claim as it has been of others put forward by the states that, in periods of extreme peril, generously contributed to the service of the Union, and enabled the general government to discharge its obligations. The grounds upon which certain portions of it have been suspended or rejected, will appear from the communications of the secretary of war, and third auditor, herewith

submitted.

### SPECIAL MESSAGE.

JANUARY 26, 1830.

To the Senate and House of Representatives:-

I FIND it necessary to recommend to Congress a revision of the laws relating to the direct and contingent expenses of our intercourse with foreign nations, and particularly of the act of May 1, 1810, entitled, "An act fixing the compensation of public ministers, and of consuls residing on the coast of Barbary, and for other purposes."

A letter from the fifth auditor of the treasury, to the secretary of state, herewith transmitted, which notices the difficulties incident to the settlement of the accounts of certain diplomatic agents of the United States, serves to show the necessity of this revision. This branch of the government is incessantly called upon to sanction allowances which not unfrequently appear to have just and equitable foundations in usage, but which are believed to be incompatible with the provisions of the act of 1810. The letter from the fifth auditor contains a description of several claims of this character, which are submitted to Congress as the only tribunal competent to afford the relief to which the parties consider themselves entitled.

Among the most prominent questions of this description are the following:—

1. Claims for outfits by ministers and charges des affaires duly appointed by the president and senate.

The act of 1790, regulating the expenditures for foreign intercourse, provided, "that, exclusive of an outfit, which shall in no case exceed one year's full salary to the minister plenipotentiary or chargé d'affaires to whom the same may be allowed, the president shall not allow to any minister plenipotentiary a greater sum than at the rate of nine thousand dollars per annum, as a compensation for all his personal services and other expenses; nor a greater sum for the same than four thousand five hundred

dollars per annum to a charge d'affaires." By this provision, the maximum of allowance only was fixed, leaving the question as to any outfit, either in whole or in part, to the direction of the president, to be decided according to circumstances. Under it, a variety of cases occurred, in which outfits, having been given to diplomatic agents on their first appointment, afterward, upon their being transferred to other courts, or sent upon special and distinct missions, full or half outfits were again allowed.

This act, it will be perceived, although it fixes the maximum of outfit, is altogether silent as to the circumstances under which outfits might be allowed: indeed, the authority to allow them at all is not expressly conveyed, but only incidentally adverted to in limiting the amount. This limitation continued to be the only restriction upon the executive until 1810; the act of 1790 having been kept in force till that period, by five successive re-enactments, in which it is referred to by means of its title, or its terms are repeated verbatim. In 1810, an act passed, wherein the phraseology which had been in use for twenty years is departed from. Fixing the same limits precisely to the amount of salaries and outfits to ministers and charges as had been six times fixed since 1790, it differs from preceding acts by formally conveying an authority to allow an outfit to "a minister plenipotentiary or charge d'affaires, on going from the United States to any foreign country;" and, in addition to this specification of the circumstances under which the outfits may be allowed, it contains one of the conditions which shall be requisite to entitle a charge or secretary to the compensation therein provided.

Upon a view of all the circumstances connected with the subject, I can not permit myself to doubt, that it was with reference of multiplying outfits to the same person, and in the intention of prohibiting it in future, that this

act was passed.

It being, however, frequently deemed advantageous to transfer ministers already abroad, from one court to another, or to employ those who were

connected with the change, he incurs expenses to which he would not otherwise have been subjected.

II. Claims for outfits and salaries by charges des affaires and secretaries of legation, who have not been appointed by the president by and with

the advice and consent of the senate.

By the second section of the act of 1810, it is provided, "That, to entitle any chargé d'affaires, or secretary of any legation, or embassy to any foreign country, or secretary of any minister plenipotentiary, to the compensation herein before provided, they shall respectively be appointed by the president of the United States, by and with the advice and consent of the senate; but in the recess of the senate, the president is hereby authorized to make such appointments, which shall be submitted to the senate at the next session thereafter, for their advice and consent; and no compensation shall be allowed to any chargé d'affaires, or any of the secretaries herein before described, who shall not be appointed as aforesaid." Notwithstanding the explicit language of this act, claims for outfits and salaries have been made, and allowed at the treasury, by charges des affaires and secretaries of legation who had not been appointed in the manner specified. Among the accompanying documents will be found several claims of this description, of which a detailed statement is given in the letter of the fifth auditor. The case of Mr. William B. Lawrence, late chargé d'affaires at London, is of a still more peculiar character, in consequence of his having actually drawn his outfit and salary from the bankers employed by the government, and from the length of time he officiated in that capacity. Mr. Lawrence's accounts were rendered to the late administration, but not settled. I have refused to sanction the allowance claimed, because the law does not authorize it; but have refrained from directing any proceedings to compel a reimbursement of the money thus, in my judgment, illegally received, until an opportunity should be afforded to Congress to pass upon the equity of the claim.

Appropriations are annually and necessarily made "for the contingent expenses of all the missions abroad," and "for the contingent expenses of foreign intercourse," and the expenditure of these funds intrusted to the discretion of the president. It is out of those appropriations that allowances of this character have been claimed, and, it is presumed, made. Deeming, however, that the discretion thus committed to the executive, does not extend to the allowances of charges prohibited by express law, I have felt it my duty to refer all existing claims to the action of Congress, and to submit to their consideration, whether any alteration of the law in

this respect is necessary.

III. The allowance of a quarter's salary to ministers and chargés des

affaires, to defray their expenses home.

This allowance has been uniformly made, but is without authority by law. Resting in executive discretion, it has, according to circumstances, been extended to cases where the ministers died abroad, to defray the return of his family, and was recently claimed in a case where the minister had no family, on grounds of general equity. A charge of this description can hardly be regarded as a contingent one, and if allowed at all, must be in lieu of salary. As such, it is altogether arbitrary, although it is not believed that the interests of the treasury are, upon the whole, much affected by the substitution. In some cases, the allowance is for a longer period than is occupied in the return of the minister; in others, for one somewhat less; and it seems to do away all inducement to unnecessary delay. The

subject is, however, susceptible of positive regulation by law; and it is, on many accounts, highly expedient that it should be placed on that footing. I have, therefore, without directing any alteration in the existing practice, felt it my duty to bring it to your notice.

IV. Travelling and other expenses in following the court, in cases where

its residence is not stationary.

The only legations by which expenses of this description are incurred and charged are those to Spain and the Netherlands, and to them they have, on several occasions, been allowed. Among the documents herewith communicated, will be found, with other charges requiring legislative interference, an amount for travelling expenses, with a statement of the grounds upon which their reimbursement is claimed. This account has been suspended by the officer of the treasury to whom its settlement belongs; and as the question will be one of frequent recurrence, I have deemed the occasion a fit one to submit the whole subject to the revision of Congress. The justice of these charges, for extraordinary expenses unavoidably incurred, has been admitted by former administrations, and the claims allowed. My difficulty grows out of the language of the act of 1810, which expressly declares, that the salary and outfit it authorizes to the minister and chargé d'affaires shall be "a compensation for all his personal services and expenses." The items which ordinarily form the contingent expenses of a foreign mission are of a character distinct from the personal expenses of the minister. The difficulty of regarding those now referred to in that light is obvious. There are certainly strong considerations of equity in favor of a remuneration for them at the two courts where they are alone incurred; and if such should be the opinion of Congress, it is desirable that authority to make it be expressly conferred by law, rather than continue to rest upon doubtful construction.

V. Charges of consuls for discharging diplomatic functions, without appointment, during a temporary vacancy in the office of charge d'affaires.

certainly motives, which it is difficult to resist, to an increased expense on the part of some of our functionaries abroad, greatly beyond that which would be required at home.

Should Congress be of opinion that any alteration for the better can be made, either in the rate of salaries now allowed, or in the rank and gradation of our diplomatic agents, or both, the present would be a fit occasion for a revision of the whole subject.

## SPECIAL MESSAGE.

MAY 30, 1830.

To the Senate of the United States:-

GENTLEMEN: I have approved and signed the bill entitled, "An act making appropriations for examinations and surveys, and also for certain works of internal improvement;" but as the phraseology of the section, which appropriates the sum of eight thousand dollars for the road from Detroit to Chicago, may be construed to authorize the application of the appropriation for the continuance of the road beyond the limits of the territory of Michigan, I desire to be understood, as having approved this bill with the understanding, that the road, authorized by this section, is not to be extended beyond the limits of the said territory.

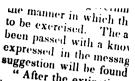
# MAYSVILLE ROAD VETO.

MAY 27, 1830.

To the House of Representatives:-

GENTLEMEN: I have maturely considered the bill proposing to authorize "a subscription of stock in the Maysville, Washington, Paris, and Lexington Turnpike-road Company," and now return the same to the house of representatives, in which it originated, with my objections to its

Sincerely friendly to the improvement of our country by means of roads and canals, I regret that any difference of opinion in the mode of contributing to it should exist between us; and if, in stating this difference, I go beyond what the occasion may be deemed to call for, I hope to find an apology in the great importance of the subject, an unfeigned respect for the high source from which this branch of it has emanated, and an anxious wish to be correctly understood by my constituents in the discharge of all my duties. Diversity of sentiment among public functionaries, actuated by the same general motives, on the character and tendency of particular measures, is an incident common to all governments, and the more to be expected in one which like ours owes its existence to the freedom of opinion, and must be upheld by the same influence. Controlled as we thus are by a higher tribunal, before which our respective acts will be canvassed with the indulgence due to the imperfections of our nature, and with that intelligence.



"After the extinction of justment of the tariff upon will, until a remote period erable surplus in the treas service. As, then, the pe nue to the payment of deb present a subject for the se fortunate for the country th nexion with the difficulties for purposes of internal imp tells us will certainly arise exercised by the general go adoption of some plan which states, and strengthen the bo Union, in peace and in war, navigation, and the construct us then endeavor to obtain thi to all. That hitherto adopted constitution by many of our f viewed as inexpedient. of harmony in the legislative tional power of Congress to m the surplus revenue, I subjoin evils it appears to me that the m could be made of the surplus re the several states according to this measure not be found

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the other, arising from the practice of the government. Although frequently and strenuously attempted, the power to this extent has never been exercised by the government in a single instance. It does not, in my opinion, possess it; and no bill, therefore, which admits it can receive my official sanction.

But in the other view of the power the question is differently situated. The ground taken at an early period of the government was, "that whenever money has been raised by the general authority, and is to be applied to a particular measure, a question arises whether the particular measure be within the enumerated authorities vested in Congress. If it be, the money requisite for it may be applied to it; if not, no such application can be made." The document in which this principle was first advanced is of deservedly high authority, and should be held in grateful remembrance for its immediate agency in rescuing the country from much existing abuse, and for its conservative effect upon some of the most valuable principles of the constitution. The symmetry and purity of the government would doubtless have been better preserved if this restriction of the power of appropriation could have been maintained without weakening its ability to fulfil the general objects of its institution—an effect so likely to attend its admission. notwithstanding its apparent fitness, that every subsequent administration of the government, embracing a period of thirty out of the forty-two years of its existence, has adopted a more enlarged construction of the power. It is not my purpose to detain you by a minute recital of the acts which sustain this assertion, but it is proper that I should notice some of the most prominent, in order that the reflections which they suggest to my mind may be better understood.

In the administration of Mr. Jefferson we have two examples of the exercise of the right of appropriation, which, in the considerations that led to their adoption, and in their effects upon the public mind, have had a greater agency in marking the character of the power than any subsequent I allude to the payment of fifteen millions of dollars for the purchase of Louisiana, and to the original appropriation for the construction of the Cumberland road; the latter act deriving much weight from the acquiescence and approbation of three of the most powerful of the original members of the confederacy, expressed through their respective legislatures. Although the circumstances of the latter case may be such as to deprive so much of it as relates to the actual construction of the road of the force of an obligatory exposition of the constitution, it must nevertheless be admitted that so far as the mere appropriation of money is concerned, they present the principle in its most imposing aspect. No less than twenty-three different laws have been passed through all the forms of the constitution, appropriating upward of two millions and a half of dollars out of the national treasury in support of that improvement, with the approbation of every president of the United States, including my predecessor, since its commencement.

Independently of the sanction given to appropriations for the Cumberland and other roads and objects, under this power, the administration of Mr. Madison was characterized by an act which furnishes the strongest evidence of his opinion of its extent. A bill was passed through both houses of Congress and presented for his approval, "setting apart and pledging certain funds for constructing roads and canals, and improving the navigation of water-courses, in order to facilitate, promote, and give security to internal commerce among the several states, and to render more easy and less ex-

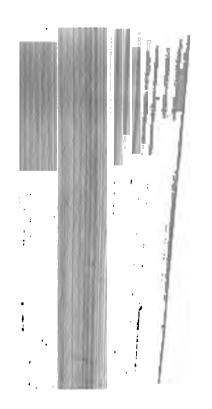
pensive the means and provisions for the common defence." Regarding the bill as asserting a power in the federal government to construct roads and canals within the limits of the states in which they were made, he objected to its passage on the ground of its unconstitutionality, declaring that the assent of the respective states in the mode provided by the bill could not confer the power in question; that the only cases in which the consent and cession of particular states can extend the power of Congress are those specified and provided for in the constitution; and superadding to these avowals his opinion that a restriction of the power "to provide for the common defence and general welfare" to cases which are to be provided for by the expenditure of money, would still leave within the legislative power of Congress all the great and most important measures of government, money being the ordinary and necessary means of carrying them into execution. I have not been able to consider these declarations in any other point of view than as a concession that the right of appropriation is not limited by the power to carry into effect the measure for which the money is asked, as was formerly contended.

The views of Mr. Monroe upon this subject were not left to inference. During his administration, a bill was passed through both houses of Congress conferring the jurisdiction and prescribing the mode by which the federal government should exercise it in the case of the Cumberland road. He returned it with objections to its passage, and in assigning them took occasion to say that in the early stages of the government he had inclined to the construction that it had no right to expend money except in the performance of acts authorized by the other specific grants of power, according to a strict construction of them; but that on further reflection and observation his mind had undergone a change; that his opinion then was: "that Congress have an unlimited power to raise money, and that in its appropriation they have a discretionary power, restricted only by the duty to appro-

The bill before me does not call for a more definite opinion upon the particular circumstances which will warrant appropriations of money by Congress to aid works of internal improvement; for although the extension of the power to apply money beyond that of carrying into effect the object for which it is appropriated has, as we have seen, been long claimed and exercised by the federal government, yet such grants have always been professedly under the control of the general principle that the works which might be thus aided should be "of a general, not local, national, not state. A disregard of this distinction would of necessity lead to the subversion of the federal system. That even this is an unsafe one, arbitrary in its nature, and liable consequently to great abuses, is too obvious to require the confirmation of experience. It is, however, sufficiently definite and imperative to my mind to forbid my approbation of any bill having the character of the one under consideration. I have given to its provisions all the reflection demanded by a just regard for the interests of those of our fellow-citizens who have desired its passage, and by the respect which is due to a co-ordinate branch of the government; but I am not able to view it in any other light than as a measure of purely local character: or, if it can be considered national, that no further distinction between the appropriate duties of the general and state governments need be attempted. for there can be no local interest that may not with equal propriety be denominated national. It has no connexion with any established system of improvements; is exclusively within the limits of a state, starting at a point on the Ohio river, and running out sixty miles to an interior town; and even as far as the state is interested conferring partial instead of general advantages.

Considering the magnitude and importance of the power, and the embarrassments to which, from the very nature of the thing, its exercise must necessarily be subjected, the real friends of internal improvement ought not to be willing to confide it to accident and chance. What is properly national in its character or otherwise, is an inquiry which is often extremely difficult of solution. The appropriations of one year, for an object which is considered national, may be rendered nugatory by the refusal of a succeeding Congress to continue the work, on the ground that it is local. No aid can be derived from the intervention of corporations. The question regards the character of the work, not that of those by whom it is to be accomplished. Notwithstanding the union of the government with the corporation, by whose immediate agency any work of internal improvement is carried on, the inquiry will still remain, is it national, and conducive to the benefit of the whole, or local, and operating only to the advantage of a portion of the Union?

But, although I might not feel it to be my official duty to interpose the executive veto to the passage of a bill appropriating money for the construction of such works as are authorized by the states, and are national in their character, I do not wish to be understood as expressing an opinion that it is expedient at this time for the general government to embark in a system of this kind; and, anxious that my constituents should be possessed of my views on this as well as on all other subjects which they have committed to my discretion, I shall state them frankly and briefly. Besides many minor considerations, there are two prominent views on the subject which have made a deep impression upon my mind, which I think are well entitled to your serious attention, and will, I hope, be maturely weighed by the people.



--presentatives, herewith passed into laws, and th adjournment of Congres nary expenditures for th bly the amount in the tr diminishing the revenue cocoa, the appropriations the available means of the amount contained in bills be safely affirmed that ten over the treasury receipts, poned, and the means now rated in these bills. With ment, this exhausting mode the plain consequence mus a resort to additional taxes.

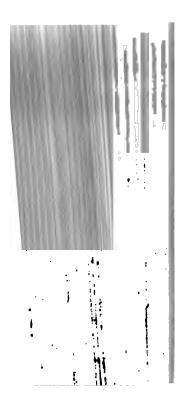
Although many of the stat of an enlightened policy, ar works of this character, the ment in the construction of upon it, and to which the m both rational and patriotic; a follow that it never will be. the American people furnish policy will be made to prevasuccessful prosecution than t ject undoubtedly is, it is not t of the government. The preciple rest with us. To elevat among our most important du desirable end are those which the government of their choice

of foreign nations for articles of prime necessity, by the encouragement of their growth and manufacture at home. They have been cheerfully borne. because they were thought to be necessary to the support of government. and the payment of the debts unavoidably incurred in the acquisition and maintenance of our national rights and liberties. But have we a right to calculate on the same cheerful acquiescence, when it is known that the necessity for their continuance would cease, were it not for the irregular, improvident, and unequal appropriations of the public funds? Will not the people demand, as they have a right to do, such a prudent system of expenditure as will pay the debts of the Union, and authorize the reduction of every tax to as low a point as the wise observance of the necessity to protect that portion of our manufactures and labor, whose prosperity is essential to our national safety and independence, will allow? When the national debt is paid, the duties upon those articles which we do not raise may be repealed with safety, and still leave. I trust, without oppression to any section of the country, an accumulating surplus fund, which may be beneficially

applied to some well-digested system of improvement.

Under this view, the question, as to the manner in which the federal government can, or ought to embark in the construction of roads and canals. and the extent to which it may impose burdens on the people for these purposes, may be presented on its own merits, free of all disguise, and of every embarrassment except such as may arise from the constitution itself. Assuming these suggestions to be correct, will not our constituents require the observance of a course by which they can be effected? Ought they not to require it? With the best disposition to aid, as far as I can conscientiously, in the furtherance of works of internal improvement, my opinion is, that the soundest views of national policy, at this time, point to such a course. Besides the avoidance of an evil influence upon the local concerns of the country, how solid is the advantage which the government will reap from it in the elevation of its character! How gratifying the effect of presenting to the world the sublime spectacle of a republic, of more than twelve millions of happy people, in the forty-fourth year of her existence -after having passed through two protracted wars, the one for the acquisition, and the other for the maintenance of liberty—free from debt, and with all her immense resources unfettered! What a salutary influence would not such an exhibition exercise upon the cause of liberal principles and free government throughout the world. Would we not ourselves find, in its effect, an additional guarantee that our political institutions will be transmitted to the most remote posterity without decay? A course of policy destined to witness events like these, can not be benefited by a legislation which tolerates a scramble for appropriations that have no relation to any general system of improvement, and whose good effects must of necessity be very limited. In the best view of these appropriations, the abuses to which they lead far exceed the good which they are capable of promoting. They may be resorted to as artful expedients to shift upon the government the losses of unsuccessful private speculation, and thus, by ministering to personal ambition and self-aggrandizement, tend to sap the foundations of public virtue, and taint the administration of the government with a demoralizing influence.

In the other view of the subject, and the only remaining one which it is my intention to present at this time, is involved the expediency of embarking in a system of internal improvement without a previous amendment of the constitution, explaining and defining the precise powers of the federal



n the right to apply money of usage.

This subject has been c me. It has bearings that upon our hitherto prospero accounts, may even excite c I will not detain you with provements. If to be their tion, our country is blest w there is an intelligent cit. But though all are their frie by which they should be p to desire their success at the ervation of which is indissol impressions are entertained in of this country, reckless of tl local interest to the principle end be disappointed; or, if it to hope from the example of fr of constitutional compacts can it need not be anticipated elsbeen so much martyrdom, and friends of liberty, may be aba unfit for self-government, adm ency be made a rule of co Power, in no government cou vances which it is ever ready to restrain its action.

But I do not entertain such the people that the construction the federal government, it is a necessary, that a previous avoidably fatal to any scheme which, from its extent, would promote the interests and elevate the character of the country. The experience of the past has shown that the opinion of Congress is subject to such fluctuations

If it be the desire of the people that the agency of the federal government should be confined to the appropriation of money in aid of such undertakings, in virtue of state authorities, then the occasion, the manner, and the extent of the appropriations, should be made the subject of constitutional regulation. This is the more necessary, in order that they may be equitable among the several states; promote harmony between different sections of the Union and their representatives; preserve other parts of the constitution from being undermined by the exercise of doubtful powers. or the too great extension of those which are not so; and protect the whole subject against the deleterious influence of combinations to carry, by concert, measures which, considered by themselves, might meet but little countenance. That a constitutional adjustment of this power upon equitable principles is in the highest degree desirable, can scarcely be doubted; nor can it fail to be promoted by every sincere friend to the success of our political institutions. In no government are appeals to the source of power in cases of real doubt more suitable than in ours. No good motive can be assigned for the exercise of power by the constituted authorities, while those for whose benefit it is to be exercised have not conferred it, and may not be willing to confer it. It would seem to me that an honest application of the conceded powers of the general government to the advancement of the common weal, presents a sufficient scope to satisfy a reasonable ambition. The difficulty and supposed impracticability of obtaining an amendment of the constitution in this respect is, I firmly believe, in a great degree unfounded. The time has never yet been when the patriotism and intelligence of the American people were not fully equal to the greatest exigency; and it never will, when the subject calling forth their interposition is plainly presented to them. To do so with the questions involved in this bill, and to urge them to an early, zealous, and full consideration of their deep importance, is in my estimation among the highest of our duties.

A supposed connexion between appropriations for internal improvement and the system of protecting duties, growing out of the anxieties of those more immediately interested in their success, has given rise to suggestions which it is proper I should notice on this occasion. My opinions on these subjects have never been concealed from those who had a right to know them. Those which I have entertained on the latter have frequently placed me in opposition to individuals as well as communities, whose claims upon my friendship and gratitude are of the strongest character; but I trust there has been nothing in my public life which has exposed me to the suspicion of being thought capable of sacrificing my views of duty to private considerations, however strong they may have been, or deep the regrets which they are capable of exciting.

As long as the encouragement of domestic manufactures is directed to national ends, it shall receive from me a temperate but steady support. There is no necessary connexion between it and the system of appropriations. On the contrary, it appears to me that the supposition of their dependence upon each other is calculated to excite the prejudices of the public against both. The former is sustained on the ground of its consistency with the letter and spirit of the constitution, of its origin being traced to the assent of all the parties to the original compact, and of its having the support and approbation of a majority of the people; on which account it is at least entitled to a fair



in presenting these opwhich I thought the occaspectfully return the bill further deliberation and ju-

SPE

To the Senate and House of

GENTLEMEN: I think it is ing the definitive answer of has been submitted to it by

This communication has answer referred to would have ted of its submission to you in gress at its present session; although the packet by whice pected, its arrival may, never ment.

Should this branch of the r cessful, the present interdict v until the next session of Cont thority to remove it.

Although no decision had b Mr. McLane, yet, from the a him and those of his majesty confer with him on the subject able result, to justify me in a for a decision in the recess.

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# APPENDIX.

# SPECIAL MESSAGES OF WASHINGTON.

## SPECIAL MESSAGE.

AUGUST 7, 1789.

To the Senate and House of Representatives of the United States:-

The business, which has been under the consideration of Congress, has been of so much importance, that I was unwilling to draw their attention from it to any other subject; but the disputes which exist between some of the United States and several powerful tribes of Indians within the limits of the Union, and the hostilities which have in several instances been committed on the frontiers, seem to require the immediate interposition of the general government.

I have therefore directed the several statements and papers, which have been submitted to me on this subject by General Knox, to be laid before you for your information. While the measures of government ought to be calculated to protect the citizens from all injury and violence, a due regard should be extended to those Indian tribes, whose happiness, in the course of events, so materially depends on the national justice and humanity of the United States.

If it should be the judgment of Congress that it would be most expedient to terminate all differences in the southern district, and to lay the foundation for future confidence, by an amicable treaty with the Indian tribes in that quarter, I think proper to suggest the consideration of the expediency of instituting a temporary commission for that purpose, to consist of three persons, whose authority should expire with the occasion. How far such a measure, unassisted by posts, would be competent to the establishment and preservation of peace and tranquillity on the frontier, is also a matter which merits your serious consideration.

Along with this object, I am induced to suggest another, with the national importance and necessity of which I am deeply impressed: I mean some uniform and effective system for the militia of the United States. It is unnecessary to offer arguments in recommendation of a measure on which the honor, safety, and well-being of our country so evidently and so essentially depend. But it may not be amiss to observe, that I am particularly anxious it should receive as early attention as circumstances will admit; because it is now in our power to avail ourselves of the mili-



To the Senate of the 1

Ir doubtless is impounted States with oth with caution, and exec

It is said to be the g check on the mistakes not to consider any tree and conclusive, until ra they derive their power States respecting their to think it would be adwith the Indians; for, the their chiefs or rulers, neour part by the agency of and reasonable that their approved and ratified by should be well considered in this respect may becomprinciples.

The treaties with certs with my message of the 2 mind, namely—first, whe fected, and consequently a secondly, whether both, o On these questions 1 requ

You have, indeed, advi of" the treaty with the tended to be clear and e fear I may misunderstand Permit me to observe, that it will be proper for me to be informed of your sentiments relative to the treaty with the Six Nations, previous to the departure of the governor of the western territory, and therefore I recommend it to your early consideration.

#### SPECIAL MESSAGE.

FEBRUARY 9, 1790.

To the Senate of the United States:-

You will perceive, from the papers herewith delivered, and which are enumerated in the annexed list, that a difference subsists between Great Britain and the United States relative to the boundary line between our eastern and their territories. A plan for deciding this difference was laid before the late Congress; and whether that or some other plan of a like kind would not now be eligible, is submitted to your consideration.

In my opinion it is desirable that all questions between this and other nations be speedily and amicably settled; and, in this instance, I think it advisable to postpone any negotiations on the subject until I shall be informed of the result of your deliberations, and receive your advice as to the propositions most proper to be offered on the part of the United States.

As I am taking measures for learning the intentions of Great Britain respecting the further detention of our posts, &c., I am the more solicitous that the business now submitted to you may be prepared for negotiation as soon as the other important affairs which engage your attention will permit.

#### SPECIAL MESSAGE.

AUGUST 4, 1790.

To the Senate of the United States :-

In consequence of the general principles agreed to by the senate in August, 1789, the adjustment of the terms of a treaty is far advanced between the United States and the chiefs of the Creek Indians, now in this city, in behalf of themselves and the whole Creek nation.

In preparing this treaty, the present arrangements of trade with the Creeks have caused much embarrassment. It seems to be well ascertained that the said trade is almost exclusively in the hands of a company of British merchants, who, by agreement, make their importations of goods from England into the Spanish ports.

As the trade of the Indians is a main means of their political management, it is therefore obvious that the United States can not possess any security for the performance of treaties with the Creeks, while their trade is liable to be interrupted, or withheld, at the caprice of two foreign powers.



through the ports, and by il and effectual arrangements. States on or before the firs and ninety-two. In the me through its present channels

And, whereas, the trade wholly or principally through thereto may happen by ward is therefore agreed between to obstructions happening, it shall designate, to introduce it the United States, to the coup of goods, wares, and merchan sixty thousand dollars, and the soever, but subject to such refuncted States shall judge near long as such obstructions shall

SPECI

Αn

To the Senate of the United St

I LAY before you a treaty bet the Creek nation, now in this ci Creek nation, subject to the ra States, with the advice and cons

While I flatter myself that t peace and prosperity to our sout also in its consequences be the i most valuable of the disputed land is included, yet there is a certain claim of Georgia, arising out of the treaty made by that state at Galphinston, in November, 1785, of land to the eastward of a new temporary line from the forks of the Oconee and Oakmulgee in a southwest direction to the St. Mary's river, which tract of land the Creeks in this city absolutely refuse to yield.

This land is reported to be generally barren, sunken, and unfit for cultivation, except in some instances on the margin of the rivers, on which, by improvement, rice might be cultivated, its chief value depending on the timber fit for the building of ships, with which it is represented as

While it is thus circumstanced, on the one hand, it is stated by the Creeks, on the other, to be of the highest importance to them, as constitu-

ting some of their most valuable winter hunting-ground.

I have directed the commissioner, to whom the charge of adjusting this treaty has been committed, to lay before you such papers and documents, and to communicate to you such information relatively to it, as you may require.

### SPECIAL MESSAGE.

AUGUST 11, 1790.

To the Senate of the United States :-

ALTHOUGH the treaty with the Creeks may be regarded as the main foundation of the future peace and prosperity of the southwestern frontier of the United States, yet, in order fully to effect so desirable an object, the treaties which have been entered into with the other tribes in that quarter

must be faithfully performed on our part.

During the last year, I laid before the senate a particular statement of the case of the Cherokees. By a reference to that paper it will appear that the United States formed a treaty with the Cherokees in November, 1785; that the said Cherokees thereby placed themselves under the protection of the United States, and had a boundary assigned them; that the white people, settled on the frontiers, had openly violated the said boundary by intruding on the Indian lands; that the United States, in Congress assembled, on 1st day of September, 1788, issued their proclamation forbidding all such unwarrantable intrusions, and enjoined all those who had settled upon the hunting-grounds of the Cherokees to depart with their families and effects without loss of time, as they would answer their disobedience to the injunctions and prohibitions expressed at their peril.

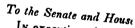
But information has been received, that, notwithstanding the said treaty and proclamation, upward of five hundred families have settled on the Cherokee land, exclusively of those settled between the forks of French,

Broad, and Holstein rivers, mentioned in the said treaty.

As the obstructions to a proper conduct on this matter have been removed since it was mentioned to the senate on the 22d of August, 1789, by the accession of North Carolina to the present Union, and the cessions of the lands in question, I shall conceive myself bound to exert the powers intrusted to me by the constitution, in order to carry into faithful execu-

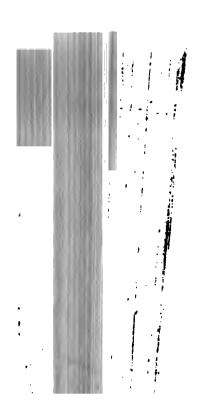
shall relinquish, holdin States for its value? 3. Shall the United ary which may be arra

SP



In execution of the person west me by their act, entipermanent seat of the go consideration of the advantable within the limits prescribe bearing date this day, a commissioners, appointed part of the territory of tenso as to comprehend Georgern Branch.

I have not, by this first a of which it is susceptible in it important that Congress whether, by an amendatory residue at the lower end of Branch itself and some of t Maryland, and the town of A of opinion that the federal



### SPECIAL MESSAGE.

## FEBRUARY 14, 1791.

To the Senate and House of Representatives of the United States:-

Soon after I was called to the administration of the government, I found it important to come to an understanding with the court of London on several points interesting to the United States, and particularly to know whether they were disposed to enter into arrangements, by mutual consent, which might fix the commerce between the two nations on principles of reciprocal advantage. For this purpose, I authorized informal conferences with their minister; and from these I do not infer any disposition, on their part, to enter into any arrangements merely commercial. I have thought it proper to give you this information, as it might at some time have influence on matters under your consideration.

# Gentlemen of the Senate:-

Conceiving, that in the possible event of a refusal of justice on the part of Great Britain, we should stand less committed should it be made to a private rather than a public person, I employed Mr. Gouverneur Morris, who was on the spot, and without giving him any definite character, to enter informally into the conferences before mentioned. For your more particular information, I lay before you the instructions I gave him, and those parts of his communications wherein the British ministers appear, either in conversation or by letter. These are two letters from the duke of Leeds, and one with him and Mr. Pitt. The sum of these is, that they declare without scruple that they do not mean to fulfil what remains of the treaty of peace to be fulfilled on their part (by which we are to understand the delivery of the posts, and payment for property carried off), till performance on our part, and compensation where the delay has rendered the performance now impracticable; that, on the subject of a treaty of commerce, they avoided direct answers, so as to satisfy Mr. Morris they did not mean to enter into one, unless it could be extended into a treaty of alliance offensive and defensive, or unless in the event of a rupture with

As to the sending a minister here, they made excuses at the first conference, seem disposed to it in the second, and in the last express an intention of so doing.

Their views being thus sufficiently ascertained, I have directed Mr. Morris to discontinue his communications with them.

#### SPECIAL MESSAGE.

FEBRUARY 18, 1791.

To the Senate of the United States:-

THE aspect of affairs in Europe during the last summer, and especially between Spain and England, gave reason to expect a favorable occasion for pressing to accommodation the unsettled matters between them and us.



An additional me quarter. The cour amicable advances United States. Th mally, but repeatedly this nation in its frie posed. But my wis. changed should be of was known that certa obstacles. Colonel I minister of Portugal, our views. It happen the queen had appoint embarrassment seems mountable. The min Colonel Humphreys, pi his regrets that circum of chargé d'affaires—a rules of their court an character would accept state, he expresses the on their part of a minist with which the queen w his letter, and also of Co action, will be delivered

On this consideration ( to the desire of the court that the consequences wi stance in which a like chi sary to yield elsewhere al government so friendly an do not mean that the chan

I have, therefore, nomina the United Son

# SPECIAL MESSAGE.

# MARCH 5, 1792.

To the Senate and House of Representatives of the United States:-

Knowing the friendly interest you take in whatever may promote the happiness and prosperity of the French nation, it is with pleasure I lay before you the translation of a letter which I have received from his most Christian majesty, announcing to the United States of America his acceptance of the constitution presented to his nation.

The translation of the letter above referred to.

September 19, 1791.

VERY DEAR, GREAT FRIENDS AND ALLIES:-

WE make it our duty to inform you that we have accepted the constitution which has been presented to us in the name of the nation, and according to which France will be henceforth governed.

We do not doubt that you take an interest in an event so important to our kingdom and to us, and it is with real pleasure we take this occasion to renew to you assurances of the sincere friendship we bear you. Whereupon we pray God to have you, very dear, great friends and allies, in his just and holy keeping. Written at Paris, the 19th of September, 1791. Your good friend and ally,

LOUIS

MONTMORIN.

# SPECIAL MESSAGE.

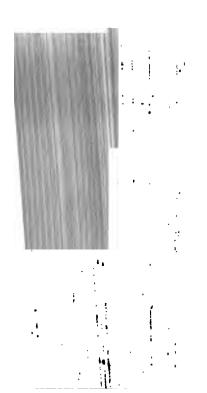
May 8, 1792.

To the Senate of the United States:-

If the president of the United States should conclude a convention or treaty with the government of Algiers for the ransom of the thirteen Americans in captivity there, for a sum not exceeding forty thousand dollars, all expenses included, will the senate approve the same? Or is there any and what greater or lesser sum, which they would fix on as the limit beyond which they would not approve the ransom?

If the president of the United States should conclude a treaty with the government of Algiers for the establishment of peace with them, at an expense not exceeding twenty-five thousand dollars paid at the signature, and a like sum to be paid annually afterward during the continuance of the treaty, would the senate approve the same? Or are there any greater or lesser sums which they would fix on as the limit beyond which they would not approve of such treaty?

Vol. I.-47



to supply, by verbal co he might find himself same time applied to fo however, took a turn w

About the close of the sentatives of Spain here at Madrid the former coof scene was not what very portant enough to regret a consent of the senate, I gotiating and concluding of boundary, navigation, now communicated. Be into train, the new trouble combinations among the visible in the proceedings

In the meantime, some country, to wit, the restitu each other, the mutual ex the mutual interferences v best reason to believe that southern Indians on our bounders. Representations w sioners to the Spanish go faith the peace of each oil sponding suspicions were their part, of like hostile with the same nations. I tives of Spain here in a A claim of patronage and diation between them and with us made a cut-

special messenger with instructions to our commissioners, which are among the papers now communicated. This last letter gives us reason to expect very shortly to know the result. I must add, that the Spanish representatives here, perceiving that their last communication had made no considerable impression, endeavored to abate this by some subsequent professions, which, being also among the communications to the legislature, they will be able to form their own conclusions.

# SPECIAL MESSAGE.

DECEMBER 16, 1793.

To the Senate of the United States:-

I LAY before you a report of the secretary of state on the measures which have been taken on behalf of the United States for the purpose of obtaining a recognition of our treaty with Morocco, and for the ransom of our citizens and establishment of peace with Algiers.

While it is proper our citizens should know that subjects, which so much concern their interests and their feelings, have duly engaged the attention of their legislature and executive, it would still be improper that some particulars of this communication should be made known. The confidential conversation stated in one of the last letters sent herewith is one of these. Both justice and policy require that the source of that information remain secret. So a knowledge of the sums meant to have been given for peace and ransom might have disadvantageous influence on future proceedings for the same objects.

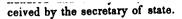
#### SPECIAL MESSAGE.

JANUARY 21, 1794.

Gentlemen of the Senate and of the House of Representatives:-

It is with satisfaction I announce to you that the alterations which have been made by law in the original plan for raising a duty on spirits distilled within the United States, and on stills, co-operating with better information, have had a considerable influence in obviating the difficulties which have embarrassed that branch of the public revenue. But the obstacles which have been experienced, though lessened, are not yet entirely surmounted, and it would seem that some further legislative provisions may usefully be superadded; which leads me to recall the attention of Congress to the subject. Among the matters which may demand regulation, is the effect, in point of organization, produced by the separation of Kentucky from the state of Virginia; and the situation, with regard to the law, of the territories northwest and southwest of the Ohio.

The laws respecting lighthouse establishments require, as a condition of their permanent maintenance, at the expense of the United States, a





MARCH 2

Gentlemen of the Senate and House

In the execution of the resolution of March, 1794, and imposing an em of the several states to call forth the necessary for the detention of vesse incidental to an embargo.

It also deserves the attention of C one district to another, under the la evasions of the embargo. As one structed to refuse to receive the su purpose of taking out registers, and to bound from one district to another, for United States.

It is not understood that the reso though their occupations lie general But without further restrictions, ther being used as a means of eluding th All armed vessels, possessing p

All armed vessels, possessing proposer (letters of marque excepted)

These circumstances are transmi

tion.



liarly, therefore, my duty at this time to lay before you the present state of certain hostile threats against the territories of Spain, in our neighborhood.

The documents which accompany this message develop the measures which I have taken to suppress them, and the intelligence which has been lately received.

It will be seen thence that the subject has not been neglected; that every power vested in the executive, on such occasions, has been exerted; and that there was reason to believe that the enterprise projected against the Spanish dominions was relinquished.

But it appears to have been revived upon principles which set public order at defiance, and place the peace of the United States in the discretion of unauthorized individuals. The means already deposited in the different departments of government are shown by experience not to be adequate to these high exigencies, although such of them as are lodged in the hands of the executive shall continue to be used with promptness, energy, and decision, proportioned to the case. But I am impelled, by the position of our public affairs, to recommend that provision be made for a stronger and more vigorous opposition than can be given to such hostile movements under the laws as they now stand.

### SPECIAL MESSAGE.

# May 21, 1794.

To the Senate and House of Representatives of the United States:-

I LAY before you in confidence sundry papers, by which you will perceive the state of affairs between us and the Six Nations, and the probable cause to which it is owing; and also certain information, whereby it would appear that some encroachment was about to be made on our territory by an officer and party of British troops. Proceeding on a supposition of the authenticity of this information, although of a private nature, I have caused the representation to be made to the British minister, a copy of which accompanies this message.

It can not be necessary to comment upon the very serious nature of such an encroachment, nor to urge that this new state of things suggests the propriety of placing the United States in a posture of effectual preparation for an event, which, notwithstanding the endeavors making to avert it, may, by circumstances beyond our control, be forced upon us.

# SPECIAL MESSAGE.

# FEBRUARY 28, 1795.

To the Senate and House of Representatives of the United States:-

In my first communication to Congress during their present session, I gave them reason to expect that "certain circumstances of our intercourse with foreign nations" would be transmitted to them. There was at that



public with our citizens, and from the also pressed an allowance for the mothe inhabitants of St. Domingo. It inform Congress that perfect harmony and that those claims are in a train of being amicably adjusted.

So much of our relation to Great B our late negotiations in London, that, not undertake to make any communic

After the negotiation with Spain has unexpected embarrassments were rais commissioner of his catholic majest specially charged to bring to a conclus formerly announced to Congress.

The friendship of her most faithful by checking the passage of the Alger. She has also furnished occasional c States, even when bound to other por promise ourselves, that, as in the or can exist for dissatisfaction between the temper with which accidental diff speedily remove them.

Between the executive of the Unit United Netherlands but little intercoryear. It may be acceptable to Congland is represented as standing upon

Upon the death of the late emp spatched to renew with his successor had made with him. The agent unf Europe, in the prosecution of his mis aible to determine, with any degree of for that empire would be ultimately fire.

say, that, from the last authentic accounts, the dey was disposed to treat for a peace and ransom, and that both would in all probability have been accomplished, had we not been disappointed in the means. Nothing which depends upon the executive shall be left undone for carrying into immediate effect the supplementary act of Congress.

# SPECIAL MESSAGE.

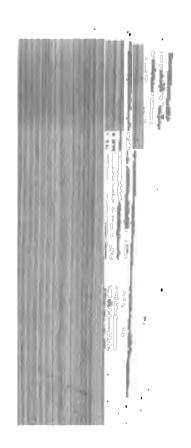
June 25, 1795.

To the Senate of the United States:-

Just at the close of the last session of Congress, I received, from one of the senators and one of the representatives of the state of Georgia, an application for a treaty to be held with the tribes or nations of Indians claiming the right of soil to certain lands lying beyond the present temporary boundary line of that state, and which were described in an act of the legislature of Georgia, passed on the 28th of December last, which has already been laid before the senate. This application, and the subsequent correspondence with the governor of Georgia, are herewith transmitted. subject being very important, I thought proper to postpone a decision upon that application. The views I have since taken of the matter, with the information received of a more pacific disposition on the part of the Creeks, have induced me now to accede to the request: but with this explicit declaration, that neither my assent, nor the treaty which may be made, shall be considered as affecting any question which may arise upon the supplementary act passed by the legislature of the state of Georgia on the 7th of January last, upon which inquiries have been instituted, in pursuance of a resolution of the senate and house of representatives; and that any cession or relinquishment of the Indian claims shall be made in the general terms of treaty of New York, which are contemplated as the form proper to be generally used on such occasions; and on the condition that one half of the expense of the supplies of provisions, for the Indians assembled at the treaty, be borne by the state of Georgia.

Having concluded to hold the treaty requested by that state, I was willing to embrace the opportunity it would present, of inquiring into the causes of the dissatisfaction of the Creeks which has been manifested, since the treaty of New York, by the numerous and distressing depredations on our southwestern frontier. Their depredations on the Cumberland have been so frequent and so peculiarly destructive, as to lead me to think they must originate in some claim to the lands upon that river. But whatever may have been the cause, it is important to trace it to its source; for, independent of the destruction of lives and property, it occasions a very serious annual expense to the United States. The commissioners for holding the proposed treaty will therefore be instructed to inquire into the causes of the hostilities to which I have referred, and to enter into such reasonable stipulations as will remove them, and give permanent peace to those parts of the United States.





the United States in Congressed by the committee to prese I thereupon proposed to receyear, a day of general joy a of the French republic delive returned an answer. By the formed the minister that the a the United States. But it set the two houses of Congress to of the French republic, toget the occasion in behalf of the I nicated.

SPECI

Jai

To the Senate and House of R

I TRANSMIT to you a memori tue of an act entitled, "An act nent seat of the government of public buildings under their dire

Since locating a district for the United States, as heretofore and accepted the grants of money as sioners. I have directed the menced, on plans which I deer grants, and proper for the purpos

I have not been inattentive to legislature to my care. I have and observed the manner in whi is pretty fully detailed in the

# SPECIAL MESSAGE.

JANUARY 29, 1796.

Gentlemen of the Senate and of the House of Representatives :-

In pursuance of the authority vested in the president of the United States, by an act of Congress, passed the 3d of March last, to reduce the weights of the copper coin of the United States, whenever he should think it for the benefit of the United States—provided the reduction should not exceed two pennyweights in each cent, and in a like proportion in the half cent—I have caused the same to be reduced, since the 27th of last December, to wit: one pennyweight and sixteen grains in each cent, and in the like proportion in the half cent; and I have given notice thereof by proclamation.

By the letter of the judges of the circuit court of the United States, held at Boston in June last, and the enclosed application of the under-keeper of the jail at that place, of which copies are herewith transmitted, Congress will see the necessity of making a suitable provision for the maintenance of prisoners committed to the jails of the several states, under the authority of the United States.

### SPECIAL MESSAGE.

March 30, 1796.

To the House of Representatives of the United States:-

With the utmost attention I have considered your resolution of the 24th instant, requiring me to lay before your house a copy of the instructions to the minister of the United States who negotiated the treaty with the king of Great Britain, together with a correspondence and other documents relative to that treaty, excepting such of the said papers as any existing negotiation may render improper to be disclosed.

In deliberating upon this subject, it was impossible to lose sight of the principle, which some have avowed in its discussion, or to avoid extending my views to the consequences which must flow from the admission of that principle.

I trust that no part of my conduct has ever indicated a disposition to withhold any information which the constitution has enjoined upon the president as a duty to give, or which could be required of him by either house of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the government, my constant endeavor to harmonize with the other branches thereof, so far as the trust delegated to me by the people of the United States, and my sense of the obligation it imposes to "preserve, protect, and defend the constitution," will permit.

The nature of foreign negotiations requires caution, and their success must often depend on secrecy; and, even when brought to a conclusion, a full disclosure of all the measures, demands, or eventual concessions, which may have been proposed or contemplated, would be extremely im-



1 repeat, that I have no disposition duty of my situation will permit, disclosed; and, in fact, all the pa-Britain were laid before the sena cated for their consideration and :

The course which the debate h leads to some observations on the stitution of the United States.

Having been a member of the g ciples on which the constitution v one opinion on this subject : and. ernment to this moment, my cond the power of making treaties is ex with the advice and consent of the ators present concur; and that e thenceforward became the law of king power has been understood b made with them, we have declar ratified by the president, with the became obligatory. In this const of representatives has heretofore : not a doubt or suspicion has appear tion was not the true one. Nay, t now, without controverting the obliall the requisite provisions for carr

There is also reason to believe opinions entertained by the state or on the constitution; especially by was not required, in commercial tre whole number of the members of t senators present; and because, in t other rights and claims, the conc

If other proofs than these, and the plain letter of the constitution itself, be necessary to ascertain the point under consideration, they may be found in the journals of the general convention, which I have deposited in the office of the department of state. In those journals it will appear that a proposition was made, "that no treaty should be binding on the United States, which was not ratified by a law;" and that the proposition was

explicitly rejected.

As, therefore, it is perfectly clear to my understanding that the assent of the house of representatives is not necessary to the validity of a treaty; as the treaty with Great Britain exhibits, in itself, all the objects requiring legislative provision, and on these the papers called for can throw no light; and as it is essential to the due administration of the government that the boundaries, fixed by the constitution, between the different departments, should be preserved: a just regard to the constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request.

# SPECIAL MESSAGE.

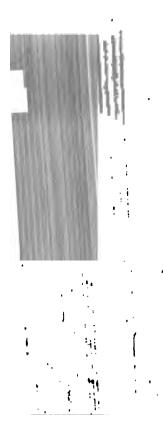
# JANUARY 19, 1797.

Gentlemen of the Senate and of the House of Representatives:—

At the opening of the present session of Congress, I mentioned that some circumstances of an unwelcome nature had lately occurred in relation to France; that our trade had suffered, and was suffering extensive injuries in the West Indies, from the cruisers and agents of the French republic; and that communications had been received from its minister here, which indicated danger of a further disturbance of our commerce by its authority, and that were in other respects far from agreeable; but that I reserved for a special message a more particular communication on this

interesting subject. This communication I now make.

The complaints of the French minister embraced most of the transactions of our government, in relation to France, from an early period of the present war; which, therefore, it was necessary carefully to review. A collection has been formed of letters and papers relating to those transactions, which I now lay before you, with a letter to Mr. Pinckney, our minister at Paris, containing an examination of the notes of the French minister, and such information as I thought might be useful to Mr. Pinckney in any further representations he might find necessary to be made to the French government. The immediate object of his mission was, to make to that government such explanations of the principles and conduct of our own, as, by manifesting our good faith, might remove all jealousy and discontent, and maintain that harmony and good understanding with the French republic which it has been my constant solicitude to preserve. A government which required only a knowledge of the truth to justify its measures, could not but be anxious to have this fully and frankly displayed.



# Gentlemen of the Senate and (

I HAVE received informatio part of the United States, pur Spain, that the running and ma onies of East and West Florid been delayed by the officers o declared their intention to mai drawing of his troops from mil ritory of the United States, untihave settled the meaning of the of the troops, garrisons, or sett the other; that is, whether, w are to leave the works standing ditional article to the treaty, th secured; and, likewise, until the will be pacific. The first two tion, might be made subjects o tion of time can be prescribed t the Spanish officers that the In to suffer it to remain an obstacle of Spain.

To remove the first difficulty, cretion of the officers of his ca troops from the forts within to leave the works standing or t ond, I shall cause an assurance communicated to the minister of of Louisiana, that the settlers on to be disturbed in their possess

h... -- -

much attached to the United States, and zealous for the establishment of a

government under their authority.

I therefore recommend to your consideration the expediency of erecting a government in the district of Natchez, similar to that established for the territory northwest of the river Ohio, but with certain modifications, relative to titles or claims of land, whether of individuals or companies, or to claims of jurisdiction of any individual state.

### SPECIAL MESSAGE.

June 22, 1797.

Gentlemen of the House of Representatives :-

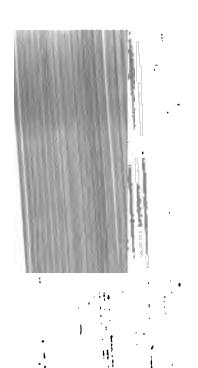
IMMEDIATELY after I had received your resolution of the tenth of June, requesting a report respecting the depredations committed on the commerce of the United States, since the first of October, one thousand seven hundred and ninety-six, specifying the name of the vessel taken, where bound to or from, species of lading, the value (when it can be ascertained) of the vessel and cargo taken, and by what power captured, particularizing those which have been actually condemned, together with the proper documents to ascertain the same, I directed a collection to be made of all such information as should be found in the possession of the government: in consequence of which, the secretary of state has made the report and the collection of documents which accompany this message, and are now laid before the house of representatives, in compliance with their desire.

#### SPECIAL MESSAGE.

JULY 3, 1797.

Gentlemen of the Senate and Gentlemen of the House of Representatives :-

THE whole of the intelligence which has for some time past been received from abroad, the correspondences between this government and the ministers of the belligerent powers residing here, and the advices of the officers of the United States, civil and military, upon the frontiers, all conspire to show, in a very strong light, the critical situation of our coun-That Congress might be enabled to form a more perfect judgment of it, and of the measures necessary to be taken, I have directed the proper officers to prepare such collections of extracts from the public correspondences as might afford the clearest information. The reports made to me from the secretary of state and the secretary of war, with the collection of documents from each of them, are now communicated to both houses of Congress. I have desired that the message, reports, and documents, may be considered as confidential, merely, that the members of both houses of Congress may be apprized of their contents before they should be made public. As soon as the houses shall have heard them, I shall submit, to their discretion, the publication of the whole, or any such parts of them, as they shall judge necessary or expedient for the public good.



of our citizens, I have sent of the senate, appoi clude a treaty, as early a the parties, will admit.

As we know very wel be carried on without cor eration the propriety of m such as may be necessary

That you may form you the proper officer to lay be penses as may be thought

SPE

Gentlemen of the Senate and

A REPRESENTATION has I vania district of the United greeable circumstances white passed on the twenty-eighth ninety-six, entitled, "An act as well as of certain doubts struction. This representation eral on the same subject, I at tion, that, if any amendments advisable, they should be ad

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#### SPECIAL MESSAGE.

JANUARY 8, 1799.

Gentlemen of the House of Representatives :-

In compliance with your desire, expressed in your resolution of the second of this month, I lay before you an extract of a letter from George C. Moreton, acting consul of the United States at the Havana, dated the 13th of November, 1798, to the secretary of state, with a copy of a letter from him to L. Tresevant and William Timmons, Esquires, with their answer.

Although your request extends no further than such information as has been received, yet it may be a satisfaction to you to know that, as soon as this intelligence was communicated to me, circular orders were given by my direction to all the commanders of our vessels-of-war—a copy of which is also herewith transmitted. I also directed this intelligence, and these orders, to be communicated to his Britannic majesty's envoy extraordinary and minister plenipotentiary to the United States, and to our minister plenipotentiary to the court of Great Britain, with instructions to him to make the proper representations to that government on this subject.

It is but justice to say, that this is the first instance of misbehavior of any of the British officers toward our vessels-of-war that has come to my knowledge. According to all the representations that I have seen, the flag of the United States, and their officers and men, have been treated by the civil and military authority of the British nation in Nova Scotia, the West India islands, and on the ocean, with uniform civility, politeness, and friendship. I have no doubt that this first instance of misconduct will be readily corrected.

# SPECIAL MESSAGE.

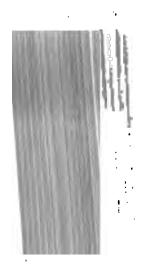
March 2, 1799.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—
JUDGING IT of importance to the public that the legislature should be informed of the gradual progress of their maritime resources, I transmit to Congress a statement of the vessels, with their tonnage, warlike force, and complement of men, to which commissions, as private armed vessels, have been issued since the ninth of July last.

### SPECIAL MESSAGE.

DECEMBER 19, 1799.

Gentlemen of the Senate and Gentlemen of the House of Representatives:—
The letter herewith transmitted will inform you that it has pleased Divine Providence to remove from this life our excellent fellow-citizen, George Washington, by the purity of his character, and a long series of



I RECEIVE, with great res of representatives, on the m the most illustrious and bel duced. I sympathize with y the world, in this irreparable

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J.

Gentlemen of the Senate and (

In compliance with the re of the twenty-first of Decem olutions, by my secretary, M. of the profound respect Congreter; of their condolence in the and entreating her assent to the Washington in the manner expenses of that virtuous lady, no present greatly afflicted, can newords, I transmit to Congress

It would be an attempt of upon it; but there can be no d the branches of the government which may diminish the sacrif

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Gentlemen of the House of Rep As the enclosed letter, from

# JEFFERSON'S CONFIDENTIAL MESSAGE.

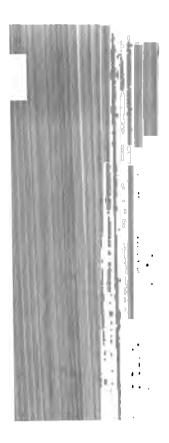
RECOMMENDING A WESTERN EXPLORING EXPEDITION.

JANUARY 18, 1803.

Gentlemen of the Senate and of the House of Representatives:-

As the continuance of the act for establishing trading-houses with the Indian tribes, will be under the consideration of the legislature at its present session, I think it my duty to communicate the views which have guided me in the execution of that act, in order that you may decide on the policy of continuing it, in the present or any other form, or discontinue it altogether, if that shall, on the whole, seem most for the public good.

The Indian tribes residing within the limits of the United States, have. for a considerable time, been growing more and more uneasy at the constant diminution of the territory they occupy, although effected by their own voluntary sales; and the policy has long been gaining strength with them, of refusing absolutely all further sale, on any conditions; insomuch that, at this time, it hazards their friendship, and excites dangerous jealousies and perturbations in their minds to make any overture for the purchase of the smallest portions of their land. A very few tribes only are not yet obstinately in these dispositions. In order peaceably to counteract this policy of theirs, and to provide an extension of territory which the rapid increase of our numbers will call for, two measures are deemed expedient. First: to encourage them to abandon hunting, to apply to the raising stock, to agriculture and domestic manufactures, and thereby prove to themselves that less land and labor will maintain them in this, better than in their former mode of living. The extensive forests necessary in the hunting life will then become useless, and they will see advantage in exchanging them for the means of improving their farms and of increasing their domestic comforts. Secondly: to multiply trading-houses among them, and place within their reach those things which will contribute more to their domestic comfort than the possession of extensive but uncultivated wilds. Experience and reflection will develop to them the wisdom of exchanging what they can spare and we want, for what we can spare and they want. In leading them thus to agriculture, to manusactures, and civilization; in bringing together their and our settlements, and in preparing them ultimately to participate in the benefits of our government, I trust and believe we are acting for their greatest good. At these trading-houses we have pursued the principles of the act of Congress, which directs that the commerce shall be carried on liberally, and requires only that the capital stock shall not be diminished. We consequently undersell private traders, foreign and domestic; drive them from the competition; and thus, with the good will of the Indians, rid ourselves of a description of men who are constantly endeavoring to excite in the Indian mind suspicions, fears, and irritations toward us. A letter now enclosed, shows the effect of our competition on the operations of the traders, while the Indians, perceiving the advantage of purchasing from us, are soliciting generally our establishment of trading-houses among them. In one quarter this is particularly interesting. The legislature, reflecting on the late occurrences on the Mississippi, must be sensible Vol. I.-48



this leads to the desire of buy strengthening and gratifying of t planting on the Mississippi itself, required me to submit these view as their disclosure might embarra mitted to the special confidence of

While the extension of the pul may deprive of that source of pr in it, it might be worthy the atte vidual as well as of the general i enterprise of these citizens, as p fully for the public. The river are not as well known as is rend the Mississippi, and consequentl that the country on that river is ir great supplies of furs and peltry 1 in a high latitude, through an infi up by ice through a long season. no competition with that of the M offering, according to the best ac source, and possibly with a single finding to the Atlantic a choice Wabash, the lakes and Hudson, Potomac or James rivers, and the An intelligent officer, with enterprise, and willing to undertal may be spared without inconvenie to the western ocean; have confe of commercial intercourse; get a others are admitted; agree on cor articles; and return with the info summers. Their arms and accou tion, and light and cheap presen apparatus they could carry, and w of land on their return would ondentally advance the geographical knowledge of our own continent, can not but be an additional gratification. The nation claiming the territory, regarding this as a literary pursuit, which it is in the habit of permitting within its own dominions, would not be disposed to view it with jealousy, even if the expiring state of its interests there did not render it a matter of indifference. The appropriation of two thousand five hundred dollars, "for the purpose of extending the external commerce of the United States," while understood and considered by the executive as giving the legislative sanction, would cover the undertaking from notice, and prevent the obstructions which interested individuals might otherwise previously prepare in its way.

# VETO MESSAGES.

(Omitted in their proper places.)

### WASHINGTON'S FIRST VETO MESSAGE.

APRIL 5, 1792.

Gentlemen of the House of Representatives:-

. I HAVE maturely considered the act passed by the two houses, entitled "An act for an apportionment of representatives among the several states, according to the first enumeration;" and I return it to your house, wherein it originated, with the following objections:—

First. The constitution has prescribed that representatives shall be apportioned among the several states according to their respective numbers; and there is no one proportion or divisor, which, applied to the respective numbers of the states, will yield the number and allotment of representatives proposed by the bill.

Second. The constitution has also provided, that the number of representatives shall not exceed one for every thirty thousand; which restriction is, by the context, and by fair and obvious construction, to be applied to the separate and respective numbers of the states. And the bill has allotted to eight of the states more than one for every thirty thousand.

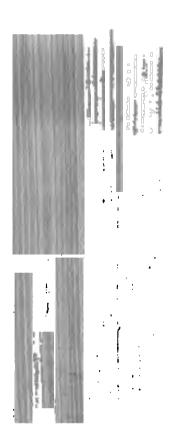
# WASHINGTON'S SECOND VETO MESSAGE.

FEBRUARY 28, 1797.

Gentlemen of the House of Representatives :-

HAVING maturely considered the bill to alter and amend an act, entitled "An act to ascertain and fix the military establishment of the United States," which was presented to me on the twenty-second day of this month, I now return it to the house of representatives, in which it originated, with my objections:—

First. If the bill passes into a law, the two companies of light dragoons will be found that moment legally out of service, though they will after-



Thirdly. The companies of 1 twenty-six non-commissioned of as dismounted dragoons, when c bounties, about two thousand dol and above half of the non-comn serve more than one third of t there will, in the course of the complement of infantry intende cumstances, to discharge the d economy.

Fourthly. It is generally agr regular, will be necessary; and been able to obtain, it is my opir and more useful than the former, settlers and the Indians; and th ment should be cavalry.

# MADISON'S

MAR

# To the House of Representatives

HAVING considered the bill thi to set apart and pledge certain which sets apart and pledges fur and improving the navigation of mote, and give security to intern and to render more easy and less the common defence," I am con feel in reconciling the bill with return it, with that objection, to t originated. ha lanialasi...

tion of water-courses, in order to facilitate, promote, and secure such a commerce, without a latitude of construction, departing from the ordinary import of the terms, strengthened by the known inconveniences which doubtless led to the grant of this remedial power to Congress. To refer the power in question to the clause "to provide for the common defence and general welfare," would be contrary to the established and consistent rules of interpretation, as rendering the special and careful enumeration of powers which follow the clause nugatory and improper. Such a view of the constitution would have the effect of giving to Congress a general power of legislation, instead of the defined and limited one hitherto understood to belong to them; the terms "common defence and general welfare" embracing every object and act within the purview of a legislative trust. It would have the effect of subjecting both the constitution and laws of the several states, in all cases not specifically exempted, to be superseded by laws of Congress; it being expressly declared, "that the constitution of the United States, and laws made in pursuance, thereof, shall be the supreme law of the land, and the judges of every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding." Such a view of the constitution, finally, would have the effect of excluding the judicial authority of the United States from its participation in guarding the boundary between the legislative powers of the general and of the state governments, inasmuch as questions relating to the general welfare, being questions of policy and expediency, are unsusceptible of judicial cognizance and decision.

A restriction of the power "to provide for the common defence and general welfare," to cases which are to be provided for by the expenditure of money, would still leave within the legislative power of Congress all the great and most important measures of government, money being the

ordinary and necessary means of carrying them into execution.

If a general power to construct roads and canals, and to improve the navigation of water-courses, with the train of powers incident thereto, be not possessed by Congress, the assent of the states, in the mode provided by the bill, can not confer the power. The only cases in which the consent and cession of particular states can extend the power of Congress, are those specified and provided for in the constitution.

I am not unaware of the great importance of roads and canals, and the improved navigation of water-courses, and that a power in the national legislature to provide for them, might be exercised with signal advantage to the general prosperity. But seeing that such a power is not expressly given by the constitution, and believing it can not be deduced from any part of it, without an inadmissible latitude of construction, and a reliance on insufficient precedents; believing, also, that the permanent success of the constitution depends on a definite partition of powers between the general and the state governments, and that no adequate landmarks would be left by the constructive extension of the powers of Congress, as proposed in the bill. I have no option but to withhold my signature from it, cherishing the hope that its beneficial object may be attained, by a resort, for the necessary powers, to the same wisdom and virtue in the nation which established the constitution in its actual form, and providently marked out, in the instrument itself, a safe and practicable mode of improving it, as experience might suggest.

On the submission of the articles to the several state legislatures for ratification, the most formidable objection was found to be in this subject of the waste lands. Maryland, Rhode Island, and New Jersey, instructed their delegates in Congress to move amendments to them, providing that the waste or crown lands should be considered the common property of the United States; but they were rejected. All the states, except Maryland, acceded to the articles, notwithstanding some of them did so with the reservation, that their claim to those lands, as common property, was not thereby abandoned.

On the sole ground that no declaration to that effect was contained in the articles, Maryland withheld her assent, and in May, 1779, imbodied her objections in the form of instructions to her delegates, which were entered upon the journals of Congress. The following extracts are from

that document, viz:-

"Is it possible that those states who are ambitiously grasping at territories, to which in our judgment they have not the least shadow of exclusive right, will use with greater moderation the increase of wealth and power, derived from those territories, when acquired, than what they have

displayed in their endeavors to acquire them?" &c., &c.

"We are convinced, policy and justice require, that a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty at Paris, if wrested from the common enemy by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress into free, convenient and independent governments, in such manner and at such times as the wisdom of that assembly shall hereafter direct," &c., &c.

Virginia proceeded to open a land office for the sale of her western lands, which produced such excitement as to induce Congress in October, 1779, to interpose and earnestly recommend to "the said state and all states similarly circumstanced, to forbear settling or issuing warrants for such unappropriated lands, or granting the same during the continuance of the present war."

In March, 1780, the legislature of New York passed an act tendering a cession to the United States of the claims of that state to the western

territory, preceded by a preamble to the following effect, viz:-

"Whereas nothing under Divine Providence can more effectually contribute to the tranquillity and safety of the United States of America, than a federal alliance on such liberal principles as will give satisfaction to its respective members; and whereas, the articles of confederation and perpetual union, recommended by the honorable Congress of the United States of America, have not proved acceptable to all the states, it having been conceived that a portion of the waste and uncultivated territory within the limits or claims of certain states, ought to be appropriated as a common fund for the expenses of the war; and the people of the state of New York, being on all occasions disposed to manifest their regard for their sister states and their earnest desire to promote the general interest and security, and more especially to accelerate the federal alliance, by removing, as far as it depends upon them, the before-mentioned impediment to its final accomplishment," &c.

This act of New York, the instructions of Maryland, and a remonstrance of Virginia, were referred to a committee of Congress, who reported a preamble and resolutions thereon, which were adopted on the 6th of

r ---- members, the support of our army measures, to our tranqui existence as a free, sove persuaded the wisdom of and impartial considerati and so necessary to the ha are confirmed in these ex

act of the legislature of N " Resolved, That copies be transmitted, with a cop states, and that it be ear claims to the western com in Congress such powers a final ratification of the ar of Maryland be earnestly gress to subscribe to the sa

Following up this polic 1780, to pass a resolution [ as to the manner in which be disposed of, the material

" Resolved, That the unag linquished to the United S recommendation of Congres disposed of for the common and formed into distinct rept of the federal union, and ha and independence as the othe be granted or settled at suc hereafter be agreed on by the nine or more of them."

In February, 1781, the leg izing their delegates in Cong The following are extracts from

"Whereas it hath been said

On the 1st of March, 1781, the delegates of Maryland signed the articles of confederation, and the federal union under that compact was complete. The conflicting claims to the western lands, however, were not disposed of, and continued to give great trouble to Congress. Repeated and urgent calls were made by Congress upon the states claiming them, to make liberal cessions to the United States, and it was not until long after the present constitution was formed, that the grants were completed.

The deed of cession from New York was executed on the 1st of March, 1781, the day the articles of confederation were ratified, and it was accepted by Congress on the 29th October, 1782. One of the conditions of this cession thus tendered and accepted, was, that the lands ceded to the United States " shall be and enure for the use and benefit of such of the United States, as shall become members of the federal alliance of the suid

states, and for no other use or purpose whatsoever."

The Virginia deed of cession was executed and accepted on the 1st day of March, 1784. One of the conditions of this cession is as follows. viz:—

"That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

Within the years 1785, 1786, and 1787, Massachusetts, Connecticut, and South Carolina, ceded their claims upon similar conditions. The federal government went into operation under the existing constitution on the 4th of March, 1789. The following is the only provision of that constitution which has a direct bearing on the subject of the public

lands, viz :--

"The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States, and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

Thus the constitution left all the compacts before made in full force, and the right of all parties remained the same under the new government as

they were under the confederation.

The deed of cession of North Carolina was executed in December, 1789, and accepted by an act of Congress approved April 2, 1790. The third condition of the cession was in the following words, viz:—

"That all the lands intended to be ceded by virtue of this act to the United States of America, and not appropriated as before mentioned, shall be considered as a common fund for the use and benefit of the United States of America, North Carolina inclusive, according to their respective and usual proportions of the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever."

The cession of Georgia was completed on the 16th June, 1802, and in its leading condition, is precisely like that of Virginia and North Carolina. This grant completed the title of the United States to all those lands, generally called *public lands*, lying within the original limits of the con-

federacy. Those which have been acquired by the purchase of Louisiana and Florida, having been paid for out of the common treasure of the United States, are as much the property of the general government, to be disposed of for the common benefit, as those ceded by the several states.

By the facts here collected from the early history of our republic, it appears that the subject of the public lands entered into the elements of its institutions. It was only upon the condition that those lands should be considered as common property, to be disposed of for the benefit of the United States, that some of the states agreed to come into a "perpetual union." The states claiming those lands, acceded to those views, and transferred their claims to the United States upon certain specific conditions, and on those conditions the grants were accepted. These solemn compacts, invited by Congress in a resolution declaring the purposes to which the proceeds of these lands should be applied, originating before the constitution, and forming the basis on which it was made, bound the United States to a particular course of policy in relation to them, by ties as strong as can be invented to secure the faith of nations.

As early as May, 1785, Congress, in execution of these compacts, passed an ordinance, providing for the sales of lands in the western territory, and directing the proceeds to be paid into the treasury of the United States. With the same object other ordinances were adopted prior to the organization of the present government.

In further execution of these compacts, the Congress of the United States under the present constitution, as early as the 4th of August, 1790, in "An act making provision for the debt of the United States," enacted as follows, viz:—

"That the proceeds of sales which shall be made of lands in the western territory, now belonging or that may hereafter belong to the United States, shall be, and are hereby appropriated toward sinking or discharging the debts for the payment whereof the United States now are.

With such care have the United States reserved to themselves, in all their acts down to this day—in legislating for the territories and admitting states into the Union—the unshackled power to execute in good faith the compacts of cession made with the original states. From these facts and proceedings it plainly and certainly results:—

1. That one of the fundamental principles on which the confederation of the United States was originally based, was that the waste lands of the west within their limits, should be the common property of the United

2. That those lands were ceded to the United States by the states which claimed them, and the cessions were accepted, on the express condition that they should be disposed of for the common benefit of the

states, according to their respective proportions in the general charge and expenditure, and for no other purpose whatsoever.

3. That in execution of these solemn compacts, the Congress of the United States did, under the confederation, proceed to sell these lands and put the avails into the common treasury; and, under the new constitution, did repeatedly pledge them for the payment of the public debt of the United States, by which each state was expected to profit in proportion to the general charge to be made upon it for that object.

These are the first principles of this whole subject, which I think can not be contested by any one who examines the proceedings of the revolutionary Congress, the cessions of the several states, and the acts of Congress under the new constitution. Keeping them deeply impressed upon the mind, let us proceed to examine how far the objects of the cessions have been completed, and see whether those compacts are not still obliga-

tory upon the United States.

The debt for which these lands were pledged by Congress, may be considered as paid, and they are consequently released from that lien. But that pledge formed no part of the compacts with the states, or of the conditions upon which the cessions were made. It was a contract between new parties-between the United States and their creditors. Upon payment of the debts the compacts remain in full force, and the obligation of the United States, to dispose of the lands for the common benefit is neither destroyed or impaired. As they can not now be executed in that mode, the only legitimate question which can arise is, in what other way are these lands to be hereafter disposed of for the common benefit of the several states, "according to their respective and usual proportion in the general charge and expenditure." The cessions of Virginia, North Carolina, and Georgia, in express terms, and all the rest impliedly, not only provide thus specifically the proportion according to which each state shall profit by the proceeds of the land sales, but they proceed to declare, that they shall be "faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever." . This is the fundamental law of the land at this moment, growing out of compacts which are older than the constitution, and formed the corner-stone on which the Union itself was erected.

In the practice of the government, the proceeds of the public lands have not been set apart as a separate fund for the payment of the public debt, but have been and are now paid into the treasury, where they constitute a part of the aggregate of the revenue upon which the gas as well for its current expenditures as for payment of the this manner they have heretofore and do now lessen the

upon the people of the several states in the exact proportions stipulated in the compacts.

These general charges have been composed not only of the public debt and the unusual expenditures attending the civil and military administrations of the government, but of the amounts paid to the states with which these compacts were formed, the amounts paid the Indians for their right of possession, amounts paid for the purchase of Louisiana and Florida, and the amounts paid surveyors, registers, receivers, clerks, &c., employed in

preparing for market and selling the western domain.

From the origin of the land system down to September 30, 1832, the amount expended for all these purposes has been about \$49,701,280and the amount received from the sales, deducting payments on account of roads, &c., \$38,386,624. The revenue arising from the public lands, therefore, has not been sufficient to meet the general charges on the treasury which have grown out of them, by about \$11,314,656. Yet, in having been applied to lessen those charges, the conditions of the compacts have been thus far fulfilled, and each state has profitted according to its usual proportion in the general charge and expenditure. The annual proceeds of land sales have increased and the charges have diminished. so that at a reduced price those lands would now defray all current charges growing out of them, and save the treasury from further advances on their account. Their original intent and object, therefore, would be accomplished as fully as it has hitherto been, by reducing the price, and hereafter, as heretofore, bringing the proceeds into the treasury. Indeed, as this is the only mode in which the objects of the original compacts can be attained, it may be considered for all practical purposes, that it is one of their requirements.

The bill before me begins with an entire subversion of every one of the compacts by which the United States became possessed of their western domain, and treats the subject as if they never had existence, and as if

face of every grant under which the title to that portion of the public lands is held by the federal government.

In the apportionment of the remaining seven-eighths of the proceeds, this bill, in a manner equally undisguised, violates the conditions upon which the United States acquired title to the ceded lands. Abandoning altogether the ratio of distribution according to the general charge and expenditure, provided by the compacts, it adopts that of the federal representative population. Virginia, and other states, which ceded their lands upon the express condition, that they should receive a benefit from their sales, in proportion to their part of the general charge, are by the bill allowed only a portion, of seven-eighths of their proceeds, and that not in the proportion of general charge and expenditure, but in the ratio of their federal representative population.

The constitution of the United States did not delegate to Congress the power to abrogate these compacts. On the contrary, by declaring that nothing in it "shall be so construed as to prejudice any claims of the United States or of any particular state," it virtually provides that these compacts, and the rights they secure, shall remain untouched by the legislative power, which shall only make all "needful rules and regulations," for carrying them into effect. All beyond this would seem to be an assumption of the undelegated power.

These ancient compacts are invaluable monuments of an age of virtue. patriotism, and disinterestedness. They exhibit the price that great states, which had won liberty, were willing to pay for that union, without which they plainly saw it could not be preserved. It was not for territory or state power, that our revolutionary fathers took up arms; it was for individual liberty, and the right of self-government. The expulsion from the continent of British armies and British power, was to them a barren conquest, if. through the collisions of the redeemed states, the individual rights for which they fought, should become the prey of petty military tyrannies, established at home. To avert such consequences, and throw around liberty the shield of union, states, whose relative strength at the time, gave them a preponderating power, magnanimously sacrificed domains, which would have made them the rivals of empires, only stipulating that they should be disposed of for the common benefit of themselves and the other confederate states. This enlightened policy produced union, and has secured liberty. It has made our waste lands to swarm with the busy people, and added many powerful states to our confederation. As well for the fruits which these noble works of our ancestors have produced, as for the devotedness in which they originated, we should hesitate before we demolish them.

But there are other principles asserted in the bill which should have impelled me to withhold my signature, had I not seen in it a violation of the compacts by which the United States acquired title to a large portion of public lands. It reasserts the principle contained in the bill authorizing a subscription to the stock of the Maysville, Washington, Paris, and Lexington turnpike-road company, from which I was compelled to withhold my consent for reasons contained in my message on the 27th May, 1830, to the house of representatives.

The leading principle then asserted was, that Congress possesses no constitutional power to appropriate any part of the moneys of the United States for objects of a local character, within the states. That principle, I can not be mistaken in supposing, has received the unequivocal sanction



latter appropriation is more tany local purpose whatsoever. visions of the bill, a portion comaking the very road to which of course come within the scotthe United States can not be agents," as little can it be peagency of the state governmen

It has been supposed that we could be speedily effected by interests of the country, there is of moneys in the treasury, and to returning them to the people accomplishment of such an object admissible, as the nearest approximates governments, the more in the by them applied to the benefit of the principle and the object was surplus of revenue, which might which could not at once be absone time seemed to be almost government from grasping unling was suggested with doubts of its

But this bill assumes a new prepende an unavoidable surplus of surplus for distribution among the one source of revenue and sets sary to raise the moneys for suppeneral charges from other sour tem upon the customs for its perpetual charge upon the treatmoneys accidentally.

time to time, without any departure from the principle now asserted, until the state governments shall derive all the funds necessary for their support from the treasury of the United States; or, if a sufficient supply should be obtained by some states and not by others, the deficient states might complain, and to put an end to all further difficulty, Congress, without assuming any new principle, need go but one step further and put the salaries of all the state governors, judges, and other officers, with a sufficient sum for other expenses, in their general appropriation bill.

It appears to me that a more direct road to consolidation can not be devised. Money is power, and in that government which pays all the public officers of the states, will all political power be substantially concentrated. The state governments, if governments they might be called, would lose all their independence and dignity—the economy which now distinguishes them would be converted into a profusion, limited only by the extent of the supply. Being the dependants of the general government, and looking to its treasury as the source of all their emoluments, the state officers, under whatever names they might pass, and by whatever forms their duties might be prescribed, would in effect be the mere stipendiaries and instruments of the central power.

I am quite sure that the intelligent people of our several states will be satisfied, on a little reflection, that it is neither wise nor safe to release the members of their local legislatures from the responsibility of levying the taxes necessary to support their state governments and vest it in Congress,

over most of whose members they have no control.

They will not think it expedient that Congress shall be the tax-gatherer and paymaster of all their state governments, thus amalgamating all their officers into one mass of common interest and common feeling. It is too obvious that such a course would subvert our well-balanced system of government, and ultimately deprive us of all the blessings now derived

from our happy Union.

However willing I might be, that any unavoidable surplus in the treasury should be returned to the people through their state governments, I can not assent to the principle that a surplus may be created for the purpose of distribution. Viewing this bill as in effect assuming the right, not only to create a surplus for that purpose, but to divide the contents of the treasury among the states without limitation, from whatever source they may be derived, and asserting the power to raise and appropriate money for the support of every state government and institution, as well as for making every local improvement, however trivial, I can not give it my assent.

It is difficult to perceive what advantages would accrue to the old states or the new, from the system of distribution which this bill proposes, if it were otherwise objectionable. It requires no argument to prove that, if three millions of dollors a year, or any other sum, shall be taken out of the treasury by this bill for distribution, it must be replaced by the same sum collected from the people through some other means. The old states will receive annually a sum of money from the treasury, but they will pay in a larger sum, together with the expense of collection and distribution. It is only their proportion of seven-eighths of the proceeds of land sales which they are to receive, but they must pay their due proportion of the whole. Disguise it as we may, the bill proposes to them a dead loss, in the ratio of eight to seven, in addition to expenses and other incidental losses. This assertion is not the less true because it may not at first be palpable

Their receipts will be in large sums, but their payments in small ones. The governments of the states will receive seven dollars for which the people of the states will pay eight. The large sums received will be palpable to the senses; the small sums paid, it requires thought to identify. But a little consideration will satisfy the people that the effect is the same as if seven hundred dollars were given them from the public treasury, for which they were at the same time required to pay in taxes, direct or indirect, eight hundred.

I deceive myself greatly if the new states would find their interests promoted by such a system as this bill proposes. Their true policy consists in the rapid settling and improvement of the waste lands within their limits. As a means of hastening those events, they have long been looking to a reduction in the price of public lands upon the final payment of the national debt. The effect of the proposed system would be to prevent that reduction. It is true, the bill reserves to Congress the power to reduce the price, but the effect of its details, as now arranged, would prob-

ably be for ever to prevent its exercise.

With the just men who inhabit the new states, it is a sufficient reason to reject this system, that it is in violation of the fundamental laws of the republic and its constitution. But if it were a mere question of interest or expediency, they would still reject it. They would not sell their bright prospects of increasing wealth and growing power at such a price. They would not place a sum of money to be paid into their treasuries, in competition with the settlement of their waste lands, and the increase of their population. They would not consider a small or a large annual sum to be paid to their governments and immediately expended, as an equivalent for that enduring wealth which is composed of flocks and herds, and cultivated farms. No temptation will allure them from that object of abiding interest, the settlement of their waste lands, and the increase of a hardy race of free citizens, their glory in peace, and their defence in war.

On the whole, I adhere to the opinion expressed by me in my annual message of 1832, that it is our true policy that the public lands shall cease as soon as practicable to be a source of revenue, except for the payment of those general charges which grow out of the acquisition of the lands, their survey and sale. Although these expenses have not been met by the proceeds of sales heretofore, it is quite certain they will be hereafter, even after a considerable reduction in the price. By meeting in the treasury so much of the general charge as arises from that source, they will hereafter, as they have been heretofore, be disposed of for the common benefit of the United States, according to the compacts of cession. I do not doubt that it is the real interest of each and all the states in the Union, and particularly of the new states, that

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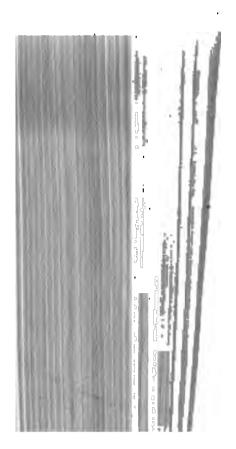
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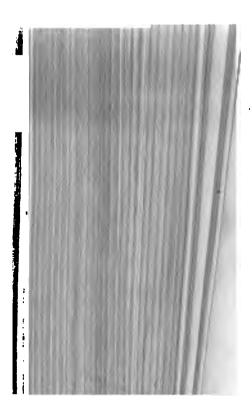
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